

and Chancellor, succeeding Fendall, who had been charged by the Proprietary with treasonable practices. (*Arch. Md.* iii, 391-392).

Philip Calvert, the Chancellor, born a short time prior to 1628, very possibly in Ireland, was the son of George, first Lord Baltimore by his second wife Joan (whose maiden name is not known), and was, therefore, a half brother of Cecilius, the second Lord Proprietary. He had married in England before 1656, when he is noted to have "immigrated" to Maryland with his wife, Anne Wolseley, daughter of Sir Thomas Wolseley of Staffordshire.

Philip had been Governor but a little more than a year when Cecilius in 1661 sent to Maryland to succeed him as Governor his son, Charles, who was fourteen years later, while serving as Governor, to become the third Baron and Lord Proprietary. The commission from Cecilius to his son, Charles, as Governor, dated September 14, 1661, conferred upon him all the numerous and varied offices which were usually vested in a Maryland Governor "except that our said brother [Philip] is still to Continue and remayne our Chancellor and Keeper of our Great Seal there, and we do further hereby authorize and appoynte our Deare Brother Philip Calvert to be our Deputy Lieutenant * * * under our said Dere Sonne" (*Arch. Md.* iii, 439).

At the joint meetings of the two courts from 1661 to 1669, when both law and equity cases were heard on the same days, Charles Calvert as presiding judge heads the list and is variously designated either as Governor, Captain General or Lieutenant General, and his name is always immediately followed by that of Philip Calvert designated as "Chancellor" or as "Deputy Lieutenant Governor and Chancellor". After separate records were kept for the Court of Chancery, beginning in the year 1669, Gov. Charles Calvert's name continues to head the list of judges, and he is nearly always specifically designated as "Chief Judge in Equity", and his name is immediately followed by that of "Philip Calvert, Chancellor". During the absence in England of Charles, the Lord Proprietary, in 1676, 1677, and 1678, Thomas Notley was Governor, and at the sessions of the Chancery Court presided and is designated as "Chief Judge in Equity". At the meetings when the Proprietary or the Governor was not present the Chancellor presided. Thus we find in Maryland from 1661 to 1682, and occasionally afterwards, a Chancellor, who like the Chancellor of the Palatinate of Durham, did not preside in his own Court of Chancery, unless his superior were absent.

Although there is in existence, an original manuscript liber entitled—"Provinciall Booke of Entries for all Accoñs, Writtes and other Process—Beginning 1666", containing various writs and other papers issued out of the Provincial Office from the years 1666 to 1672, to which reference will be made elsewhere, the earliest record we have of the proceedings of the Court of Chancery as separate from the Provincial Court, is an old liber known as The Register Book in the Chancery, C. D., beginning in the year 1669, and extending down to 1684. From this latter, Liber C. D., and another old Chancery record, Liber P. C. 1671-1712, the contents of this volume of the *Archives* are in great part taken.

While it was, of course, to the interest of the public that an accurate record be kept of all writs and other papers issued under the Great Seal of the Chancellor, and of causes heard and decided in the Court of Chancery, it made little