

Court.⁶ It became the chief court of the province, regarded as the local equivalent of the Court of King's Bench. In 1722 Daniel Dulany the elder, in an opinion which he gave as Attorney General to the Governor and Council, said "that court has the same authority in Maryland that the King's Bench has in England." It survived the Revolution of 1776, to 1805. As additional counties were erected and county courts established, the Provincial Court assumed jurisdiction over appeals from them, in addition to its own trial jurisdiction, and its appellate jurisdiction grew to be of much importance. Until near the establishment of the royal government, in 1692, the Governor and the members of his Council presided as justices in the Provincial Court, the member of the Council first commissioned presiding in the absence of the Governor. After 1692, while members of the Council still, for many years, held seats on that court, it was organized as a separate institution, and its judges were henceforth appointed irrespective of any membership on the Council.

For such chancery work as there was the Governor acted as Chancellor, sitting in the Provincial Court, until 1661, when the office was made a separate one, and was filled by Philip Calvert, an uncle of the then Governor and one of the justices of the Provincial Court. And to this day the point of land at St. Mary's on which his house is reputed to have stood is known as "Chancellor's

6. For an exact history of the trial courts of the province, and of the judicial system of that time generally, reference should be had to Newton D. Mereness, Maryland as a Proprietary Province, Macmillan, N. Y. 1901, Part II, Chapter III, and also to J. W. Thomas, Chronicles of Colonial Maryland, Chapters VIII and IX.