

did by a Deed under their hand and Seal bearing date of St. Maries 9th May 1634, agree and promise to and with Capt. Henry Fleete . . . that he should have 4,000 acres of Land."<sup>7</sup> The earliest land transactions, then, would seem to have been in the hands of the "Governor and Comisioners." The first official evidence bearing on land administration is the commission, dated April 15, 1637, appointing Leonard Calvert as Lieutenant General or Governor of the province. Among other things Calvert is by this commission empowered "to pass any Grant under our Said Great Seal . . . All which Grants Soe to be made . . . and the Said Warrants under our hand and Seal for the passing thereof, Shall be enrolled by our Secretary of our said Province, for the time being and not before . . . Shall be effectual in Law against us, and Shall bind us and our heirs . . ."<sup>8</sup> This same commission appointed three men as a Council to the Governor, one of the three (John Lewger) being also appointed "Secretary and Keeper of the acts and proceedings of the Governor and Council for the time being, and for the doeing (i. e. making out) and recording of all grants of land or of offices within the province," as well for recording generally all matters necessary.<sup>9</sup> Before the colony began to expand then, land business, like all other business, was attended to directly by the Governor and Council and Secretary.

In March 1638/9 an act was passed whereby "no Grant Deed lease Conveyance or Estate hereafter to be made by the Lord Proprietarie or his heirs to any person or persons whatsoever . . . Shall be of any force or validity in law to any intent or purpose whatsoever untill such grant deed Lease or Conveyance and the Warrant given or to be given under the hand and Seal of the Lord Proprietarie of his heirs for the passing and granting the same shall be enrolled by the Secretary of the Said Province . . ."<sup>10</sup>

In 1641 a new development comes in the establishment of the office of Surveyor General. This office transcended that of a mere surveyor and was more like that of the steward of an English manor. During the first period the incumbent was always a member of the council of state, and was not so much expected to make surveys himself as to appoint surveyors and control their work and

<sup>7</sup> *Patents*, Liber 1, p. 97; John Kilty, *The Landholder's Assistant and Land Office Guide*, Baltimore, 1808, p. 64.

<sup>8</sup> *Patents*, Liber 1, p. 13.

<sup>9</sup> *Ibid.*, p. 15; Kilty, p. 65.

<sup>10</sup> *Assembly Proceedings*, Liber C & W H, p. 34.