

This, of course, included control over probate matters. Poor communications made it impractical for the Lord Proprietary to govern the colony from England; therefore he found it necessary to appoint a deputy to govern the colony and look after his interests in it. The commission he issued to his brother, Leonard Calvert, on April 15, 1637, is the earliest such appointment found in the records of the colony. Leonard was named Lieutenant General, as the Governor was then called, and placed in charge of all phases of the government.⁷ A Council was named to advise and assist him. John Lewger, one of the members of the Council, was also designated as Secretary of the Province and made responsible for the keeping and recording of the acts and proceedings of the Lieutenant General and his Council. On January 20, 1637[8],⁸ the Governor issued a commission assigning additional duties to Lewger. Besides being named "Conservator of the Peace within the County of St. Maries", Lewger was also appointed Commissioner "in causes testamentary, to prove the last wills and testaments of persons deceased, and to grant admraõn of the estates of persons dying intestate within our said Province and to take inventaries and accompts and the same to record, and to give discharges thereupon; and to minister an oath to any person or persons witness or witnesses exequutors or admrãtors as often as there shall be cause."⁹

A few years later, on August 12, 1641, "An Act For Causes Testamentary" was passed. It provided the "Lieutent. Generall or in his absense his Deputie or otherwise the first Counsellour resident in the County shall prove Wills and Grant Administracõns & exercise all Temporal jurisdictions to Testamentary causes appertayning". He was to proceed "according to the Law or lawdable usage of England... & where the same is uncertain or doubtful then according to equity & good concience."¹⁰ In practice, Secretary Lewger continued to do most of the work. On September 5, 1642, when Calvert renewed Lewger's commission as Secretary of the

⁷ *Arch. Md.*, III, 49.

⁸ Long after Catholic Europe had adopted the Gregorian calendar which we now use, England retained the Julian calendar, refusing to change until 1752. In this calendar, the year started on March 25, the period from January 1 through March 24 being considered part of the previous year. In order to bring dates falling within this period into proper perspective, the year according to the Gregorian calendar has been inserted in brackets after such dates.

⁹ *Arch. Md.*, III, 60.

¹⁰ *Ibid.*, I, 108.