

## CHAPTER III

### THE CHIEF EXECUTIVE

IN THIS and three following chapters we shall deal with those officers not primarily concerned with finance. These were the chief executive, who was normally both Governor and Chancellor, the Principal and Deputy Secretaries, the Commissary General, the Attorney General, certain minor officials, and the provincial and county clerks. The sheriff, although in his executive capacity an agent of the Governor, derived most of his income from collecting the public levy and other funds. On this account we shall consider him later, as one of the provincial revenue officers.

#### 1. THE CHARACTER OF HIS OFFICE.

The Lords Baltimore, as hereditary Governors of Maryland, looked on their chief executive as a deputy, so that in the first proprietary period he was called a Lieutenant General and in the later a Lieutenant Governor.<sup>1</sup> On the other hand, during the quarter century of royal administration, the crown regarded him as a principal and accorded him the full title of Governor. Nevertheless his duties varied but little throughout the colonial period, so we shall find it convenient to employ only the one term.

Should a Governor be absent or dead, he would normally be succeeded for the time being, in his duties but not in his title, by the first member of the Council.<sup>2</sup> However, throughout the earlier proprietary period he might appoint in his absence a Deputy Governor, called a Deputy Lieutenant General, or on his death a Governor, whose title might later be confirmed by the proprietary.<sup>3</sup> At the inception of royal administration the Governor lost his power to appoint a successor, and such persons thereafter bore

<sup>1</sup> Cf. *Archives*, XXXIII, 6.

<sup>2</sup> This principle of succession was fixed by an act of October, 1640 (*Ibid.*, I, 96), confirmed in 1676 but repealed in 1692 at the inception of royal government. Under the crown it was supported by crown instructions. After the restoration it was reaffirmed by a law of August, 1716.

<sup>3</sup> Cf. the previously mentioned act of October, 1640. Twice on leaving the province and a third time, on his death, the first Governor, Leonard Calvert, appointed his own successor.