

What at first sight might seem to be admiralty cases, the forfeiture of ships and cargoes for violation of the English navigation acts, were, however, heard at this period, both in England and in Maryland, not in Admiralty courts but in courts of law. Three of these forfeiture or confiscation cases, referred to in a later section of this introduction, came before the Provincial Court (pp. lvii-lvix). Cases involving estates of orphans, generally heard with other types of cases at regular sessions, occasionally came up at a session specifically designated either as a Court of Orphans, or an Orphans' Court (pp. 202-207, 548).

The Provincial Court usually held three regular sessions a year at St. Mary's City, one in February, one in the spring or early summer, and one in the late autumn or early winter. During this five year period the three regular sessions were held each year; and in the year 1667 two additional meetings—both at Mattapany, one in March to consider an admiralty case, and one in April specifically designated as a "Chancery Court". Summer sessions were avoided on account of their inconvenience to planters. The court called to meet in December, 1667, was postponed until February "by reason of the indisposition of body w<sup>th</sup> severall of his lo<sup>'s</sup> Justices who cannot then be present in Court . . . as alsoe the present expedicion ag<sup>t</sup> the Indian Enemy with other Publique Affaires which cannot suffer Delay" (pp. 219, 220).

The members of the Provincial Court and of the Governor's Council at the beginning of this period, with a notation following each name showing the years of service, were the following: Governor Charles Calvert (1661-1684), son of the Lord Proprietary Cecilius Calvert, and later himself third Lord Baltimore, and Proprietary; Philip Calvert (1660-1682), the Chancellor; Richard Boughton (1666) of St. Mary's County, Provincial Secretary; Jerome White (1663-1670) of St. Mary's County, Surveyor-General; Edward Lloyd (1650-1666) of "Wye", Talbot County; Henry Coursey (1661-1687), also of Talbot; Baker Brooke (1658-1680), of Calvert; Colonel William Evans (1662-1669) of St. Mary's; and Thomas Truman (1665-1685), of Calvert.

Richard Boughton appears at only one session, that for June, 1665. Colonel William Evans last sat at the February, 1668/9, court and died soon afterwards. In the spring of 1669 Governor Charles Calvert went to England, not returning until the close of the following year. In his absence the functions of the governor were exercised by three deputy governors headed by the Chancellor, Philip Calvert, with White and Brooke as associates. During this period Philip Calvert presided in court and in the Council. At the December, 1669, session two new members added to the court were William Calvert (1669-1682), of St. Mary's County, the Governor's nephew, and Samuel Chew (1669-1677) of Anne Arundel; and at the December, 1670, session, William Talbot (1670-1671) of Baltimore, the new Provincial Secretary, and Edward Fitz-Herbert (1670-1673) of St. Mary's, were sworn in as new members. Coursey and Lloyd who lived on the Eastern Shore were frequent absentees. Jerome White went to England soon after the April, 1670, session and did not return. As far as can be learned, none of these justices had been practicing lawyers, except William Calvert, who had been attorney-general and practicing in this court for some five years.