

Province, he also made him "Judge of all Causes Testamentary & Matrimoniall".¹¹ The linking of probate and matrimonial matters was obviously influenced by the practice in England.

In spite of the confusion created by Ingle's Rebellion and the seizure of the government by the Parliamentary Commissioners, it appears that the person occupying the position of Secretary of the Province continued to have jurisdiction over probate matters until 1673. Every Secretary's commission found in the records of the Province before then includes this responsibility. However, some of the governors took an active interest in the office. Philip and Charles Calvert, especially, are often mentioned in the records as having proved a will, granted letters of administration or performed some similar duty.

Although the chief officer for probate matters had been called a judge as early as 1642,¹² he did not begin to preside over a court until much later. The first style of court appeared in the records on July 30, 1670 while William Calvert was Secretary.¹³ About the same time, the Court began to try libels, issue citations, and perform other duties of a judicial nature. But it was not until Sir William Talbot became Secretary that the Prerogative Court may be said to have been formally established. His commission, which was issued by Lord Baltimore on August 7, 1670, included the usual powers of a Secretary. In addition he was given "full Power and Authority to issue out Commissions and process in our name and to hear Sentence and declare all matters touching wills Administrations and Inventories and also the Incident Emergencies and dependencies thereupon and to make and appoint Registers & other Officers in relation to the Probate of wills and Granting of Administrations in all Counties and places within our said Province."¹⁴ It was on May 19, 1671, during his term of office

¹¹ *Ibid.*, III, 116. By this time, the Secretary was performing an infinite number of duties. In addition to the probate and matrimonial duties already mentioned, the commission cited above made him "principall officer and keeper of the acts and proceeding of us [Lord Proprietary] and of o^r Lieuten^t Gräll and Counsell. . . . and for the entring and recording of all grants. . . . of any lands or offices within o^r said Province of Maryland, and for the entring and recording of all other matters, acts and things" concerning the Province. He was also made "Collector and Receiver of all our rents revenues and customes."

¹² *Ibid.*, I, 154.

¹³ *Testamentary Proceedings* 4A, 11.

¹⁴ *Arch. Md.*, V, 70.