

## Philip Calvert

### Consummate Public Servant and Keeper of the Conscience of Maryland

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When Philip Calvert died shortly after December 22, 1682, he was about fifty-six years old. Recently wed for a second time to a woman thirty-five years his junior, the proud possessor of the largest mansion built in 17th-century Maryland, and the owner of a magnificent library, he left no known surviving children. His legacy was his work of the previous twenty-six years as one of Maryland's most influential leaders.

Philip Calvert was the sixth son of George Calvert, first Lord Baltimore. Philip may have been born on his father's Irish estates where his father planned to establish a haven for English Catholics and to which he brought his family to escape religious persecution and the bubonic plague. By 1630, at the age of four, Philip was in London in the care of a waiting maid who barely escaped death from the plague. When his father died suddenly in 1632, Philip was left £300 and placed in the charge of his half brother, Cecil Calvert, second Lord Baltimore for his "education and maintenance."

Cecil Calvert kept residences in London, first in Drury Lane and then in Bloomsbury Square, and one in the country near Salisbury, called Hook House. How Philip was educated is not certain. Perhaps he was tutored at home. Possibly he attended a Jesuit College at St. Omer's in Douai, now in Northern France, as did at least three of his half-brothers. From the surviving records in his own hand, he was trained well. His neat script, clear language, breadth of reading, and the care with which he implemented the many facets of government in Maryland, all point to a powerfully analytical and ordered mind.

Philip Calvert, with his wife Anne Wolsey, a devout Catholic, arrived in Maryland in 1657. He came as the family member selected by Cecil Calvert to oversee the re-establishment of Lord Baltimore's government, which radical Protestants, with the support of Virginia, had seized in 1654. The Virginians and Maryland radicals -- usually called Puritans -- doubtless expected that Cromwell's government would support their move, but they suffered a disagreeable surprise. At the insistence of English authorities, Lord Baltimore and the Governor of Virginia came to an agreement in 1657 that returned control of the Maryland Province to its proprietor.

When Lord Baltimore moved to re-establish his government, he dared not appoint a Catholic governor. Instead he selected Josias Fendall, who had been loyal to him during the years of Puritan rule. But he did appoint Philip as councilor, provincial court justice, principal secretary and judge of probate. In these roles Philip participated in all decisions and had control of all the records, even if he did have to swear in Fendall as governor.

Philip's presence in the Maryland government must have been of first importance as Fendall and he selected officials and re-established proprietary institutions. Philip was a trusted link between Lord Baltimore and his colony in a day when it took twelve weeks to communicate between London and the

Chesapeake. His role became crucial in 1660, when Fendall proved disloyal and attempted a coup to establish an independent Maryland commonwealth. When the coup failed, Philip became governor, and skillfully restored proprietary authority, acting cautiously and deliberately to avoid bloodshed.

What followed must have seemed to Philip a poor reward. Late in 1661, Charles Calvert, Cecil's son and the future third Lord Baltimore, was appointed governor in Philip's stead, and brought with him a new principal secretary. Philip became his nephew's deputy and was made chancellor, a new position. He was second under the governor and remained so for the rest of his life. Perhaps he had always been aware that this was bound to be so. He was a younger son of an English nobleman, not an heir at law. Philip had been chosen to conduct a difficult transition, but it was inevitable that eventually Lord Baltimore would put his heir in charge of his Maryland palatinate, once some semblance of government was restored.

Working with his nephew was not easy for Philip. Charles distrusted his uncle. In 1664, in anticipation of a trip home he wrote his father:

*My stay in England will be but short...& I have great cause to feare that I shall find much confusion my returne, for as yr Lopp was pleased to write that it were best to make my Uncle Goveern in my Absence on the side I know it to be very necessary & againe am very sensibel how much he has disgusted all in Generall & especially those that have been ever faithfull to you Lopps Interest here & such as have shewe me anything of Kindnesse since my Comeing into this Province.... What he has endeavored to doe is to draw the Affections of the people from me wch I doe not fear in the least for I have had as much testimony of their Kindnesse as could be expected by me from them.*

In the end, Charles did not return that year to England, but his father must have suggested to both that they should try to get along better. There were no further complaints, and in later correspondence Charles acknowledged, if somewhat begrudgingly, that he owed his uncle deference.

Despite his differences with Charles, Philip made critical contributions to the institutional development and stability of government in Maryland. He was the chief legal officer in the colony. As chancellor he established a court of equity that closely followed English procedure. It was one of the few chancery courts that functioned in the American colonies. In the absence of the governor, he was always chief justice of the Provincial Court, and it is likely that he was a prime influence in keeping the court as much as possible in line with English precedent. This was a matter of importance to colonists who lived in a colony in which a proprietor had princely powers. From the beginning, anxiety over the transfer of English law was a political issue that had high priority.

As judge of probate, Philip Calvert established careful procedures in probate that protected both heirs and creditors and hence the intergenerational transmission of property. In the absence of ecclesiastical courts that had much of this jurisdiction in England, this took skillful adaptations. To keep control of procedure, he kept the probate court a central agency, with a happy result for historians. The records did not burn in county court house fires and they remain to us today. Furthermore, he personally saw to it that the Assembly passed carefully constructed laws protecting orphans' estates -- a crucial problem in a society in which fathers usually died before their children were of age to control property.

Philip also had considerable diplomatic skills. He was prominent in negotiations with the Dutch over their settlements on the Delaware in 1659. He knew how to make himself agreeable in difficult circumstances, as can be seen in Augustine Herman's account of dinner at his house. Said Herman, the Dutch emissary, *"after dinner [we] talked about his charts or maps of the country .... He wished to prove from them the extent of Lord Baltamore's boundaries, but we, on the contrary, showed and maintained that if Chesapeak Bay ran, above so crooked towards the northeast, they would come so far within our line....But these and such like courses, running higher and higher, were left off; he said he had invited us as a welcome to the country, and thenceforward we conversed on other subjects, and parted from one another with expressions of friendship."*

At a later stage in the negotiations, Herman reported fruitful conversations with Calvert about *"establishing mutual trade and commerce ."*

In 1668, Philip obtained recognition from Virginia of Maryland's claims to what is now Somerset County and actually participated in the survey of the dividing line between the two colonies with the Surveyor General of Virginia, Edmund Scarborough. At about the same time, he negotiated treaties with Lower Eastern Shore Indian tribes who were harassing English settlers. The terms of these treaties established rules of behavior in Indian-English relations that applied to whites as well as Indians, and on the whole, kept peace in the area thereafter.

Philip Calvert died a wealthy man. He possessed large grants of land (at least 3900 acres), an excellent income from fees, and must have lived well. Shortly after his arrival he purchased what was probably a modest house about a half-mile from the Governor's Field, where the village of St. Mary's (est. 1668) was soon to appear. But by the 1670s he was planning a brick mansion, which was as large as the Governor's Palace in Williamsburg built 25 years later. At the time Calvert's house must have been one of the most splendid in any colony. He moved into it in 1679. Unfortunately, we have no record of how it was furnished. His inventory lists a wonderful library, a well-stocked wine cellar, and a kitchen that contained signs of elaborate dining, but none of the other rooms of his house, except a small office, were inventoried. However, it seems likely that he was furnishing his house in a way commensurate with its splendor. He may have died well before he had finished.

Everything suggests that Philip Calvert was a cultivated man. His books show that he read Horace, poetry, natural history, books on religion, husbandry, astrology, and astronomy. He had an extensive legal and medical library. He may even have had a share in developing the baroque plan for St. Mary's City -- of which he was the mayor -- a plan that his Lordship's surveyor general, Jerome White, apparently laid out before his departure in 1671. Philip Calvert was a man of many parts. He may have found few people in Maryland that he considered his intellectual equal.

Philip's death in late 1682 or early 1683 left Charles Calvert, now the third Lord Baltimore, in a difficult position. He had to return to England to defend his boundaries from the claims of William Penn, who had received a grant for Pennsylvania, and to defend his charter, once more threatened by the English government. With Philip's death, there was no immediate member of the Calvert family to leave in charge. Lord Baltimore made his infant son, Benedict Leonard, his governor and made his councillors deputy governors, led by his first cousin George Talbot. The deputy governors proved incompetent to

rule -- Talbot actually murdered the royal customs collector and had to flee Maryland -- and in 1689 a Protestant rebellion cost the proprietor governing powers in his province. If Philip had been alive, this outcome might have been avoided.

In all, Philip Calvert was a prime influence for stability in Maryland after the turmoil of the early years. He was not a swash-buckling warrior. He was an institution builder, an unglamorous role, but one that produced enduring results that long outlasted later disruptions. As chancellor and thus chief judge in equity, he was the consummate public servant, the keeper of the conscience of Maryland. This role perhaps characterizes him best and best describes the mark he made on the founding of Maryland.