

passed at the opening of the eighteenth century it was recited that unskilfulness in the surveyors and their fear of Indians lying in wait produced unreliable surveys, with uncertainties and errors.<sup>1</sup> But debts as well as boundary disputes gave rise to a large amount of litigation.

Of the sworn attorneys admitted, John Morecroft, described by Governor Charles Calvert in 1672 as the best lawyer in the country,<sup>2</sup> and who may therefore be accepted as the first leader of the Maryland bar of record, was admitted on June 12, 1666. He had appeared as attorney for many litigants before that time, and had apparently acquired his training in the courts of the province. He was named in the charter of St. Mary's City in 1667, as the first recorder.<sup>3</sup> In the inventory of his estate, there is an item of a "Parcell of Boocks," valued at 1,600 pounds of tobacco.<sup>4</sup> Sworn and admitted at the same time was Daniel Jenifer, who had served an apprenticeship as clerk and keeper of the records of the provincial court, and clerk in the office of the secretary, from which all writs were issued, during four years;<sup>5</sup> and records of the seven years following 1666 show the admission of Benjamin Rozier, Robert Carvile, a Mr. Bisse, John Rousby, Vincent Lowe, George Parker, Robert Ridgely, Thomas Bland, Matthew Ward, Peter Sayer, Charles Boteler, and John Jones, all as sworn attorneys.<sup>6</sup> Bland informed the court that he had for six years been a student at the Inner Temple, and Matthew Ward bore a name that appears on the list of Gray's Inn, April 30, 1657. Ridgely, on his death in 1682, left "1 large parcell of old books," valued at £30.<sup>7</sup> In 1674, the assembly moved to correct abuses of persons practicing as "Attorneys Councillors & Solicitors at Law in this Province," and enacted that a number of honest and able attorneys admitted and sworn by the governor or by the commissioners in each county should *have the exclusive privilege of prosecuting or defending suits in the courts.*<sup>8</sup> Fees were regulated for the first time by a later act at the same session of the assembly,<sup>9</sup> and subsequent statutes continued the regulation into the succeeding century.

Professional learning comes with shackles for all but the wary, and a degree of freedom exercised in procedure in the seventeenth century argues either a degree of learning short of the highest, or, possibly, a minor degree of concern with the law. That the lawyers had a knowledge of common law and chancery practice is made evident by the records of sessions of the

<sup>1</sup> Act 1699, ch. 18, *Archives*, XXII, 481; Act 1715, ch. 45, *ibid.*, XXX, 252; Act 1718, ch. 18, *ibid.*, XXXVI, 517.

<sup>2</sup> Calvert Papers, *Md. Hist. Society Fund Publication*, no. 28, 264.

<sup>3</sup> Bland, *Chancery Reports* (1841), 416.

<sup>4</sup> MSS. Inventories & Accounts, Liber 1 (1674-1703), fol. 29, Land Office, Annapolis.

<sup>5</sup> *Archives*, III, 514, 556; V, 24, 25, 101.

<sup>6</sup> *Ibid.*, LI [in press].

<sup>7</sup> MSS. Inventories & Accounts, Liber 7 (1680-1682), 271.

<sup>8</sup> Act 1674, ch. 20, *Archives*, II, 409.

<sup>9</sup> Ch. 31, *ibid.*, II, 467.