All the lawyers so far considered practiced before the central courts in and about St. Mary's prior to 1695, or in and about Annapolis after that time. Other lawyers, and, according to characterizations in the record, usually inferior lawyers, practiced only in the county courts.[1] In 1669, a defendant in a suit in chancery applied to the court again and again for allowances of time to answer a bill filed, because "he could not as yett retain and instruct any attorney to draw and prepare his answer to the said bill, all the Attorneys not already (employed) by the plaintiff living at a great distance from this court."[2] With travel at such slow pace distances were long, and lawyers did not all practice far from home. As all were planters, and mainly planters, the amount of attention they found it desirable to devote to the law probably varied with individuals.

During the period of this record the attorneys were subjected to further regulations and restrictions, the effect of which is manifested in the recorded proceedings. In 1707,[3] the council directed that no attorneys should practice in any of the courts except such as had been for some time members of some of the Inns of Court or Chancery, or such as had previously undergone an examination of their capacities, honesty, and good behavior; and an act of 1715,[4] provided that attorneys should thenceforth be admitted by the justices of the court, who should have power to admit or to suspend attorneys until the king's pleasure should be known therein. Fee charges had been controlled in the interests of clients since the passage of the act of 1674,[5] and finally by the act of 1715, and another of 1725,[6] the limitation upon fees was reduced to such an extent that it caused some of the leading attorneys, including Dulany and Edmund Jenings, to withdraw from practice for a short time. The fee upon any writ of error or appeal before the governor and council was restricted to six hundred pounds of tobacco, and the sum of ten shillings current money was given as the equivalent of one hundred pounds of tobacco. Attorneys were required to take oaths in cases before the court that they had not charged more; and at that oath Dulany, Jenings, and several others balked. Their refusal brought on a special session of the assembly on March 15, 1726.[7] The governor saw the dilemma, still unsolved two centuries later, and in addressing the assembly referred to the desirability of equalizing justice for the poorer people by limitations on amounts of fees, but at the same time remarked the injustice in allowing a planter to obtain the services of an attorney for the small compensation specified. A few days later,[8] Dulany, Bordley, Joshua George, Michael Howard,

1 *Archives*, XXX, 514. And see *post*, p. 558.
2 *Ibid.*, LI [in press].
3 *Ibid.*, XXV, 224.
4 Act 1715, ch. 48, sec. 12, *ibid.*, XXX, 248, 252.
5 Act 1674, ch. 31, *ibid.*, II, 467.
6 Acts 1715, ch. 48, *ibid.*, XXX, 248, 252; 1725, ch. 14, *ibid.*, XXXVIII, 372.
7 *Ibid.*, XXXV, 432, 466.
8 *Ibid.*, pp. 445, 449.