

among us," "Irish kidnapping dogs . . . who cajole their poor silly countrymen into American servitude under pretense of advancing their ragged fortunes . . .," "pettifogging attorneys," etc. Moreover, in the course of his denunciation of Dulany's programme, he occasionally makes interesting remarks as to the economic condition of the Province. Again, it is significant that his ideas show very distinctly the influence of the writings of John Locke, whom, for one purpose or another, he frequently quotes directly. Eversfield's great fault as a writer is his bad style, which is characterized by great diffuseness, entanglement of ideas, and tiresome repetition.

A few of his arguments may be summarized. In paragraphs injected into his discourse on Morality, he declares, in opposition to Dulany, that "no law binds any people but those for whom 'tis enacted, nor 'em till made known by due promulgation." Without promulgation, no knowledge; without this, no rational consent; without either, no obligation exists, because obedience is impossible. English statutes . . . "can have no relation to the people of Maryland, except they were singular from the rest of the world in having laws before they were a people. To have such laws would be the worst of slavery, yet in this condition has "this lawyer of ours and his followers endeavored to involve the Marylanders, and that, too, under color of English liberty." Neither the civil, nor, in Eversfield's view, the Canon laws of England extend to the colonies, unless the latter are especially mentioned.¹⁶

Later, he states more specifically that the expression "laws and statutes of England, agreeable to the usage and constitution of Maryland" means such laws as have been used "time out of mind" in the courts of Maryland and approved by the laws and government in the most express manner. Otherwise the judges are given an arbitrary power to decide at random, according to their own discretion. This, he thinks, administers greatly to corruption.¹⁷ And in another place,

¹⁶ Eversfield Volume, pp. 110 ff.

¹⁷ *Ibid.*, p. 269.