

before, was in his turn defending colonial interests, appears in the fee bill controversy as the champion of prerogative and of the proclamation.

We have, then, one case in which part of the controversial material of 1722 survived to the revolutionary period in its original form. This, however, is unique, and from it we must pass to the general character of the documents which we reviewed in the last chapter, their principles and their phraseology.

In so doing, one is struck at once by the fact that the reasoning of all the important documents—the reports and addresses, Dulany's pamphlet, and, to a less degree, Mr. Eversfield's notes—is distinctly that of English law. This is seen, again, in the sources from which the writers of these papers drew. Dulany, we know, like a number of others, had supplemented his education in Maryland law by a brief period of study in Gray's Inn. That he is thoroughly at home in the English cases, he shows by quoting Coke's Institutes and Reports, the reports of Vaughan, Holt, Salkeld, Anderson, and Roll, Wingate's Maxims, and, for constitutional history, Hale's History of the Law and Rushworth's Collections. At least twice we are referred to Care's "English Liberties," one of the many summaries of the practical parts of the English law that preceded Blackstone's Commentaries. Considering, then, his handling of authorities, and his method of using them, as attested not only in these papers, but in the Maryland reports of Harris and McHenry, we may hold, without yielding to the *Lues Boswelliana*, that Dulany was among the ablest lawyers of his generation in all the Atlantic colonies.\*

Now, within the Dulany family this legal prestige was handed down; for Daniel Dulany, the younger, carefully educated in England and trained in the law, surpassed the fame of his

---

\* Andrew Hamilton, of Pennsylvania, of course, enjoyed a wider intercolonial reputation, and some others, such as Attwood or Mompesson, were more prominent in Imperial politics.