

father.<sup>7</sup> But apart from this personal influence, and its fruit in the next generation, the distinctly legal character of the controversy over the English statutes undoubtedly helped to stamp a similar feature upon the subsequent constitutional development of the colony. This emphasis on the legal method of procedure was older than Dulany's work; it was in some sense a characteristic of Maryland's development from the beginning, but it was reinforced by the succession of legal documents which Dulany wrote for the Assembly. Henceforth, to the Revolution, the lawyers led the Assembly to attack one part of the government after another, and the bar of Maryland increased the roll of distinguished names till the Carrolls, Paca and Chase won, on the patriotic side, fame which his Tory opinions lost to the younger Dulany.

English law, however, was not the only source of the general principles which these papers expound. Of really more novel significance is the emphasis on the Law of Nature. The progress of the colonial mind, before the Revolution, to clarity and agreement on the political relation of the mother country and the colonies is to be traced in a mass of literature which lies beyond the limits of our consideration here. After the Stamp Act the American colonists were not anxious to claim English statutes; on the contrary, they finally denied the right of Parliament to legislate at all for the colonies. Yet they clung closely, for awhile, to their English rights and liberties; and indulged in a good deal of curious logic to maintain their English privileges without their English responsibilities. If we consider, for example, the Declaration and Resolves adopted by the First Continental Congress, we find the second paragraph emphasizing these English liberties, the third declaring that they had not forfeited them by emigration, and the fifth and sixth claiming the right to the

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<sup>7</sup>The Author of the *Considerations on the Propriety of Taxing America*, which Chatham used in England, was a legal oracle in the Southern Colonies until, when the struggle between the Proprietor and the Popular Party became intense, his defense of prerogative cost him popular favor and kept him on the Tory side in the Revolution.