

of the Maryland Court of Appeals, regularly resorted to the common law judges for guidance. "All the justices of England and Barons of the Exchequer of the Coif," said Sir Matthew Hale, "are assistants to the Lords, to inform them of the common law."³⁰ And the same need was met in Maryland in the next best way, by resort to opinions from members of the bar not engaged in the particular cases. It was not an entirely novel resort. In preceding centuries the opinions of attorneys in attendance upon courts in England had often been called for by judges, and the practice had not altogether disappeared in the English counties; and the furnishing of opinions to private persons and to public and private bodies constituted a large part of the work of leading lawyers in the eighteenth century, as the various published collections of opinions will testify. In 1695, as has been seen, the Governor and Council in Maryland took the opinions of the bar on the organization of the Court of Appeals, and also on some questions which arose in the case of *Randolph v. Blackmore*. Harris and McHenry's first report reproduces opinions obtained from the English lawyers, Charles Yorke and Dunning, (pages 503 and 568), and their second report (page 341) an opinion of Hargrave; unpublished records of the Court of Appeals contain copies of opinions of Sergeant William Wynne, Thurlow, Wedderburn, and Dunning; and there are many reported instances of opinions of local lawyers made use of. Harris and McHenry appear to have had copies

30. Sir Matthew Hale, *Original Institution, Power and Jurisdiction of Parliaments*. (1707), 51. Blackst. Comm. III, 56.