

of many of Daniel Dulany's opinions, and they are found in some profusion through the first two reports. In 2 Harris & McHenry, 366, there is an opinion of John Hall's, and 4 Harris & McHenry, 101, contains opinions given the General Court in 1798 by William Pinkney and William Cooke,³¹ both of them leaders of the time; and the unpublished records contain others by Daniel Dulany the elder, James Hollyday and Luther Martin. The common practice is probably shown in this portion of the report of the Provincial Court case of Nicholson v. Sligh, in 1772,³²

It appears, from the notes of T. Jenings, Esq., who was counsel in this case, and of W. Cook, Esq., that the justices present being at a loss to determine the points, desired that the opinions of some of the gentlemen of the bar, not engaged in the cause, might be taken; and thereupon the whole matter was referred to James Hollyday and Thomas Johnson, Esquires, who were both of opinion that the *feri facias* ought to be quashed, assigning for the reason of their opinion, etc.

There can be no doubt of the truth of the tradition of a bar of good professional training and ability to argue and advise in Maryland during the later as well as during the earlier provincial period. We have the testimony of Harris and McHenry, in their preface, to the superior abilities of some of the lawyers whose notes and opinions were then buried under piles of old papers. The opinions given by Daniel Dulany, the younger, have long confirmed his traditional rank as the leading lawyer of the period. William Pinkney, after his return from his diplomatic career abroad, said that even amongst such men as Fox, Pitt, and

31. Died 1817, aged 71 years.

32. 1 Harris & McHenry, 437.