

Dulany have been preserved in considerable volume, while but little survived of the elder and his contemporaries, and they have long been lost to tradition.

But with all the elder Dulany's capacity and training, it is possible that he was surpassed in energy and resourcefulness by Bordley, a young man trained in the province only. Thomas Bordley, born in Yorkshire in 1683, the son of a Rev. Stephen B. Bordley, at one time a prebendary or canon in old St. Paul's, London, had come to Maryland in 1697, and during a brief lifetime he, too, held the offices of alderman and recorder of Annapolis, clerk of the Anne Arundel County court, clerk of the provincial court, and of the secretary's office, attorney general, commissary general, and councillor. He was removed from the office of clerk of the county court in 1709, and a controversy with the governor in 1721 caused his dismissal from the council for giving pernicious advice, as the governor announced,¹ after which he was almost immediately elected to the lower house. He was admitted as an attorney in the provincial court and the Court of Appeals in 1709.² The proceedings hereafter set out, especially those in the litigation with Jonathan Forward, and his factors and agents, show that Bordley was a combative man, with a thorough knowledge of practice in the courts and the resources it afforded a litigant, a skilful, though prolix, pleader, in attack not always held within the rules, and not disdaining arguments of ingratiating when they might serve. He lived only to the age of forty-three years, dying in London in 1726, and it is reported that during much of the period of his activity here displayed he was suffering from the disease which ultimately ended his life. Yet he was a man of force and influence, apparently one of those of fervid personality toward whom other men find it difficult to stand neutral; and men were for or against Bordley with determination.³ He married a woman of wealth, who had been his client in one of the appeals here recorded, Ariana, widow of James Frisby, and granddaughter of Augustine Hermann, one of the greatest of the landholders. His posthumous reputation has suffered from the circumstantial finding in the reported case of *Proprietary v. Jenings*⁴ that he and a Thomas Larkin had obtained a patent of land in the heart of Annapolis by fraud and circumvention, but the finding, circumstantial though it was, must be regarded with caution, for charges of fraud were sometimes made on behalf of the proprietary in support of efforts to recover desirable land for him when no fraud was in fact contended for;⁵ and the attack on Bordley's patent was at the time ascribed to the mere desire of the proprietary to repossess himself of the land.⁶

¹ *Archives*, XXXIV, 277, 283.

² *Post*, p. 108; MSS. Provincial Court Records, Liber T. L. no. 3, 143.

³ *Archives*, XXXV, 334, 465.

⁴ 1 Harris & McHenry, 92.

⁵ As in the case of Digges' Lessee *v.* Beale, *post*, p. 583, and 1 Harris & McHenry, 67.

⁶ Elizabeth Bordley Gibson, *Biographical Sketches of the Bordley Family* (Phila., 1865), p. 37; *Maryland Hist. Mag.*, XXIV, 295, 296.