

of a century before his death in 1796, is not included; but while he had studied law in England, it is not certain that he was a member of any of the Inns of Court.

Such was the bar, the men who devoted their powers to the preparation and argument of cases, and aided the court in its decisions in the provincial period. Theirs was a larger part in the administration of justice in their time than is the part of attorneys working with professional judges. And they exercised another function in the dispensation of justice not common now: it was customary for parties to controversies to resort to leading lawyers for decisions without litigation.³⁵ Besides the early training in England which many of them had, they seem always to have been supplied with law books. The lawyers of 1696 when called upon for opinions on one question asked time to consult the authorities, and citations in other opinions indicate that their supply of books was not trifling. Stephen Bordley, a leading lawyer of the eighteenth century, derived some fame from his law library, and Thomas Jenings at his death,³⁶ left a law library the items of which fill seven folio pages in the records of the Orphans Court of Anne Arundel County, and some of the items were of sets of books. And the precedents in Maryland decisions were known to these lawyers before the publication of Harris and McHenry's first report in 1809, for from an early date it was part of the routine labors of lawyers to attend sittings of the courts and take notes of

35. 1 Harris & McHenry, Preface, "To the Public."

36. Died December 10, 1796, aged about 60 years.