
Bacon's Laws the Typographical Monument of Colonial Maryland

malaria and a vexatious internal derangement, he wrote these despondent words to his correspondent in Oxford: "I write to you," he says, "with the Freedom of a Friend, as I shall always stile you though God knows few are the Friends I have now in the World. If you have any good News by your Ship, on whose Arrival I wish you Joy, please let me have a Sketch of it; if bad, keep it to your self, for I have had no other for some time past, and begin to be heartily tired of it. I would not write to you on such a scrap of Paper, if I had plenty as formerly; but the Man without Money or Credit must do as he can. Musick is departed & gone into another World from me. The Laws are my only Employment and Amusement, yet they are a dry sort of stuff and sometimes apt to stick in the Throat." (Ms. in Maryland Diocesan Library.)

It seems to be true, as Mr. Augustine Birrell tells us in one of his essays, that commentators "learn in suffering what they observe in the margin."

Bacon completed his abridgement of the laws sometime in the year 1758. On June 22d of that year he advertised in the *Maryland Gazette* his proposals for its publication, announcing at the same time that he had petitioned unsuccessfully the Assembly at its last session for encouragement "to publish a Body of Laws . . . together with an Abridgement . . . the Charter of the Province, and other useful matters." The work thus described was the great collection of laws which he issued seven years later. He received no authority for its publication from this Assembly, but not discouraged, he announced it as forthcoming and proceeded with its compilation. It is probable that this advertisement of a larger and more desirable work in preparation injured the prospects for the publication of his "Abridgement" by subscription. Nothing was heard of it afterwards as a separate publication, and when his body of laws was published in 1765, it was made use of as the basis of the index to the greater work.¹

A REVIEW OF THE POLITICAL ISSUE INVOLVED

The publication of the great body of laws now became a political issue in the Provincial Assembly, or rather it became the concrete expression of an old and wearisome issue on which there had been bickering in the two Houses for a generation. At the time of the Revolution of 1689, the people had questioned the right of the Proprietary to certain duties granted him by an act of the year 1661, and an act of the first Assembly under the royal government had diverted the proceeds of this "tonnage" duty from his Lordship's purse to the treasury of the Province. Upon the advice of the Solicitor General, however, the Crown in 1692 had disallowed this act and had given direction that the proceeds of the tonnage duty should be paid as usual to the Proprietor for his private use. It was not until the year 1739

¹Dulany Papers, Box 1, No. 6, Bacon to W. D., Maryland Historical Society.