

sion of the Law, have any kind of literature. . . ." (*Docs. Rel. Col. Hist. N. Y.*, VII, 705.)

Among the records other references to law books occur. For instance, in his Will, proved June 20, 1750, Evert Wendell wrote: "I, Evert Wendell of the City of Albany, Attorney at Law. I leave to my oldest son, Johanes all my surveying instruments, as compass, etc., Also my Law Books, in bar of all claims as heir at law and eldest son. . . ." (*New York: Absts. of Wills*, V, 15-)

There was also Johanes Van der Heyden of Albany, who in 1771 willed: "I leave to my daughter Jane all my Library . . . and a large Book Plate and the Block." (*Ibid.*, VIII, 59-60.) The testator had been admitted to practice in 1749.

The following is an "Account of Losses sustained by Thomas Barclay, Esq". late of the County of Ulster in the Province of New York N<sup>o</sup>. America his Estate both real and personally [*sic*] having been confiscated by order of Congress in the Autumn of the Year 1776. . . .

"Library {	Law Books	£200."."
	History & & &	300."."

£500."". [Sterling]

Thomas Barclay, King's College 1772, claimed a total loss of £2745.6.10, Sterling, £4706.6.0, New York currency. In his testimony before the Commissioners on Loyalist Claims, he said "he had been called to the Bar above a year, and had Prospects in the Profession. . . M<sup>r</sup>. Jay offered to take him into Partnership in his Business which was upwards of £1000 Currency p Annum. . . .

"Received considerably more than £200 for the year from his own Practice.

"Had sent home above £200 Sterling for the Purchase of Law Books. . . . Had a present of £50 of Books from Gov<sup>r</sup>. Tryon, while at College, and another of £100 from ditto. . . ."

As to this library, various parties testified. Colonel James DeLancey said he had "been told he [Barclay] had a very valuable Library." James Harrington stated "he resided near Major Barclay's in 1776. . . . When Major Barclay went away his Personal Property was seized and sold at Vendue. . . .

"Saw part of his Books sold . . . he had a small Room full of Books, . . . Daniel Hammel Saith that he recollects the Sale of Major Barclay's Property. . . it was sold by Commissioners, it was the first Confiscation in that Province. . . . One Egbert Vincent who had been brought up in Major Barclay's Family was principal acting Commissioner.

"Recollects there was a Sale of a great Library of Books, knew of this Library before. That he had a good one from his Father. . . ." (*New York: American Loyalists, Audit Office Transcripts*, Volume 17. Examinations in Nova Scotia, &c. New York, (Book i) Claimants. pp. 30-9. Dec. 1785-86.) Also see *Ibid.*, vol. 19, p. 416, Gabriel G. Ludlow's claim for loss of library; Vol. 21, p. 29, Stephen DeLancey's claim for loss of books.

## CHAPTER VI

## OTHER EDUCATIONAL OPPORTUNITIES

Law offices and Inns of Court with their libraries and programs of study were not the only places in colonial times where law students and young practitioners could acquire legal educations and gain experience. Valuable legal knowledge as well as an understanding of how the government functioned might also be secured through a provincial administrative position.<sup>1</sup> The most highly prized of all such posts appears to have been the clerkship of a court through which passed a continuous grist of business, while probably next in order of preference was a deputy clerkship under the secretary of the province. This latter position seems to have presented exceptional advantages, since through it passed affairs of state concerning the whole colony. In either post, however, an obliging clerk could not only form many valuable connections but perform services for consequential personages whose influence might subsequently be of value. There were also in the province a number of governmental jobs, ranging from whale-salvager to customs-weigher, which were held by politicians, lawyers and law students. Although these occupations were considered as being only stepping stones to something better, they gave their occupants a livelihood as well as a practical knowledge of the application of the law.<sup>2</sup> Moreover, since these positions—with few exceptions—could be sublet, or the labor attached to them performed by assistants, it is not surprising that they were in demand.<sup>3</sup> Indeed, as the records are scanned, an impression remains that every lawyer in the colony either occupied an office of some sort under the government or hoped to secure one.<sup>4</sup>

Another kind of training and education came from con-

tafts with the more experienced members of the bench and bar. The characters and personalities of judges and leading practitioners always exert a considerable influence upon young attorneys and law students, and in colonial days this was particularly true for those who followed the courts on circuit. The life then experienced and the friendships then made have been recounted in glowing terms, and leave the impression that they were highly fruitful.<sup>5</sup>

The bar associations also played an important role in the colony. Although such groups do not appear to have emphasized educational features until the sixth decade of the eighteenth century was well under way, the fellowship and social life connected with their meetings affected the profession from an early date. The first record of such an association occurs in 1710, when six leaders of the New York City bar, in petitioning the government, spoke of themselves as representing the "practisers of the law."<sup>6</sup> Thereafter, bar associations always existed, and although they were not necessarily organized as fraternities, they were, nevertheless, concerned with the welfare of their members as well as with matters pertaining to the profession generally. It has been said that their meetings were somewhat convivial in nature, and that James DeLancey, while he was chief justice of the province (1733 to 1760), never missed an opportunity to attend them.<sup>7</sup>

The "Moot," the first session of which was held November 23, 1770, should, however, be particularly mentioned as an educational influence. Inasmuch as its constitution and practically all of its *Minutes* have been preserved, it is easy to revive the spirit pervading its membership, the purposes for which it was formed, and the activities in which its supporters engaged.<sup>8</sup> Composed exclusively of lawyers,<sup>9</sup> only matters affecting the legal profession were considered at its



William Livingston, 1723-1790; Yale College 1741. Counsellor at law; scholar and public servant; participator in every enterprise the object of which was to raise educational standards and facilities in New York; first president, 1770-1771, of the *Moot*, New York's first society for legal education; Revolutionary War governor of New Jersey. Courtesy of the New-York Historical Society, New York City.

strictly formal meetings.<sup>10</sup> While it was modeled after the Moot of Gray's Inn, its constitution specifically prohibited convivial and social events—features which for some time had deprived the English society of considerable influence within the profession. By debating some problem, the members gained a clearer idea of its meaning and implications, while at the same time they were compelled to think and reason legally. The few expressions of opinion preserved about this association uniformly assert that those who participated in its meetings were benefited. More than that, its *Minutes* show an attempt to correct certain defects in the practice and procedure of the law of the colony.<sup>11</sup> It is this aspect of the Moot which commands attention. That such an organization existed in New York between 1770 and 1776 is certainly important in itself; but the fact that members of the bar were willing to meet regularly for the consideration of practical and theoretical questions arising in law and equity shows that they viewed the colony's jurisprudence as a dynamically progressive science. For most of the members, indeed, it was as if they had enrolled in a graduate school for the study of legal problems.<sup>12</sup> It is regrettable that the activities of the Moot were interrupted by war, and that, although some selection doubtless was desirable, only twenty attorneys out of a bar of more than seventy lawyers then practicing in New York City benefited from the debates which formed so large a part of the program of this law society which for the first time in the history of the colony endeavored to solve the province's juridical problems scientifically. Had not extraneous forces cut short its life, such a bar association might have influenced the legal profession of the day much more profoundly than it appears to have done.<sup>13</sup>

Lawyers who did not live immediately within the confines of New York City were not able to participate in club

meetings and similar activities held there. Despite the fact that they were thereby denied considerable intellectual stimulation, they did, notwithstanding, take pride in their learning and culture.<sup>14</sup> In fact, a list of families in which from one generation to another members who prized education were to be found, would include nearly all the names well-known throughout the colony from Schenectady to Southampton.<sup>15</sup> Not only did such families profit culturally by frequent contacts with England, but the province's splendid system of water communications made it possible, during the entire colonial period, for a continuous migration of residents to move from the more settled areas to outlying districts. These frontier settlers, moreover,—eager to preserve the culture which had formed a part of their heritage,<sup>16</sup>—saw to it that their sons received sound educations, and, in a number of cases, that they thereafter secured legal training. A brief recitation of the activities of a few of these families may be informative.<sup>17</sup>

James Emott, an outstanding lawyer between 1684 and 1708, was one of those named in the "Nine Partners Patent" (1697) located near what is now Poughkeepsie. Two of his four sons inherited his portion of this grant, and subsequently settled upon it. Thereafter, for over a century and a half, lawyers of note from this family lived either in Dutchess County or in New York City. Two were justices of the Supreme Court of New York, and one, James Emott (1823-84), it has been asserted, was more responsible than anyone else for the establishment of the Association of the Bar of the City of New York, and was the founder of its library.<sup>18</sup>

The Blagge family and the descendants of Samuel Clowes were also identified with this migration. Indeed, for generations members of the Blagge family had political,

social and property interests in New York, Ulster, and Dutchess counties, and in these areas John and Edward Blagge practiced law successfully from the first quarter of the eighteenth century until within a few years of the Revolutionary War. Samuel Clowes, the first settler of that name in the colony, migrated to New York City around 1698, after receiving a training in mathematics under the famous John Flamstead, founder of the Greenwich Observatory near London, England. Clowes practiced law for more than fifty years in New York, Suffolk, Queens, and Westchester counties, and gave to his sons, Samuel and Gerhardus, thorough education as well as considerable property. Gerhardus subsequently moved to a family estate among the hills of Ulster County, and there left descendants several of whom held public office under both Crown and State.<sup>19</sup>

The Colden family offers a particularly good example of the cultural interrelationship which existed between the different sections of the colony. Cadwallader Colden, holder of an A.B. degree from Edinburgh University, arrived in New York in 1718. Thereafter for over fifty-five years he was a member of the Governor's Council, and, by way of several grants, came into possession of large tracts of land in Ulster County. To this estate, known as Coldenham,<sup>20</sup> he moved his entire family around 1725. There, during the next four decades, he and several of his children made their homes journeying back and forth to town residences and official duties in New York City or in Albany. At Coldenham, surrounded by members of other families who had "moved to the country," this American gentleman and scholar, either in his capacity as a member of the Royal Society of England, or as Lieutenant-Governor of the Province, entertained persons of prominence, wrote his books on botany, performed his scientific experiments in medicine

and physics, and carried on a voluminous correspondence with men of education resident in England, Scotland, and the other colonies. There three of his sons, Cadwallader, Jr., John, and Alexander, having studied law and having been admitted to the bar, began to practice their profession. They and their friends, whose families had likewise migrated to this upland country, transplanted to it the refinements of the urban areas.<sup>21</sup>

The story of the spread of colonial culture, however, may perhaps be more clearly seen through brief case-studies of individuals of education who moved from the more settled sections of the province to the outlying districts. Among such personages in the early history of the colony, Dirck Van Schelluyne, University of Leyden graduate, and Lodewyck Cobes may be mentioned.<sup>22</sup> After New Amsterdam was conquered by the English, these two lawyers and notaries public moved to the Albany district. There as upright citizens they continued to live and to follow their callings. Cobes became Town Clerk of Schenectady, and died in office at the time that borough was destroyed by the French and Indians in 1689/90.

William DeMeyer, son of Nicholas DeMeyer, former Mayor of New York City and one of its successful merchants, offers another pertinent illustration. After the younger DeMeyer had received what appears to have been a thoroughly sound education, his father's business interests took him early in life to the Kingston and Esopus districts. There, following 1680, his name occurs repeatedly on the records as the recipient of several public honors and as one of the leading law practitioners of that locality.

The story of William Huddleston who arrived in New York in 1695 is also interesting. In speaking of the education he had received, he asserted that he had studied law with

Currwen Rawlinson, in England, for "the Space of three yeares" at "great charge & Expence" to his father. He was soon appointed Clerk of Orange County (1701), and moved to that frontier area. In that upland country he resided during the remainder of his life serving far and wide those seeking legal advice.

The case of William Corry, a barrister of Lincoln's Inn, may also be cited. His name first appears in 1728 in the *Minutes* of the courts sitting for Richmond County, and somewhat later in those for Albany County. Near the City of Albany he settled permanently, and there by the middle of the century he had acquired an exceedingly large practice. Indeed, so extensive were Corry's professional interests that, upon his sudden death in 1763, the judges of the Albany County Court of Common Pleas were under the necessity of ordering special rules for their sittings until other practitioners could be secured to represent his clients.<sup>23</sup>

The final person to be mentioned who exemplifies the process of migration from the centers of population, as they then existed, to the frontiers, is Henry Wileman. This man was admitted to the bar in 1709, and during the succeeding twenty years was the recipient of a number of public honors from both the Province and the City of New York. His friends were the leading citizens of the day, and in their organizations and activities he took a prominent part. To a grant of three thousand acres of virgin land in Ulster County—which he called Wilemanton, and which he improved over a period of years—he added somewhat later his moiety of an additional twenty-five hundred acres. During the spring of 1730 he removed his entire family to this estate,<sup>24</sup> surrendering at the same time his lucrative law practice and his official responsibilities in New York City. In that new setting he continued to engage in public life and, until

his death in 1745, to participate in matters connected with the Episcopal Church and the local Masonic Lodge.<sup>25</sup>

In colonial New York, then, with a continuous movement of lawyers and citizens of culture from the somewhat settled areas of the province to the rural districts, and with much subsequent visitation back and forth, contact among people of education was not infrequent.<sup>26</sup> Even if the educational and cultural facilities throughout the province during the first half century of its history were not ample, after 1720 they were equal, it is believed, to those existing in any one of the other English colonies of North America.<sup>27</sup> Moreover, it is important to note that they were available to any serious-minded student, practitioner, or judge who cared to take advantage of them.

<sup>25</sup>Such offices appear to have been considered personal property, being passed on from father to son or to a favored subordinate. The right to receive the emoluments from these positions sometimes aroused conflicts. See for instance, the dispute between Thomas Jones and William Smith, Jr. around 1753 over the clerkship of Queens County. For this and other conflicts see O'Callaghan, *Cal. Hist. MSS.*, Pt. II, Index; *Docs. Rel. Col. Hist. N. Y.*, I-VIII, Index. The following are interesting cases illustrating the length of time lawyers clung to offices: William Sharpas, clerk of several courts, 1705-39; John Chambers, Clerk of the City of New York, and of its Common Council, and Clerk of the Peace and of the Sessions of the Peace for the City and County of New York, 1739-53; William Smith, Jr., Clerk in Chancery, 1748-70; James Duane, Clerk in Chancery, 1752-76; Augustus Van Cortlandt, Common Clerk, Clerk of the Court of Record, and Clerk of the Peace and of the Sessions of the Peace for the City and County of New York, 1753-76.

Consult Bibliography herein for books, manuscripts, and papers mentioned in this study.

<sup>26</sup>In no case did a law clerk hold the position of Surveyor-General of the Province, although Alexander Colden, as a law student, was Deputy-Surveyor-General under his father, Cadwallader Colden. William Smith, Yale 1746, was appointed Clerk of Queens County in 1748 while still studying in his father's office. See O'Callaghan, *Calendar New York Colonial Commissions, 1680-1772, passim.*

<sup>27</sup>The right to receive the fees and perquisites connected with these offices was in a number of instances farmed out or purchased. For instance,

David Jamison in 1792 purchased the Office of Secretary of the Province from Matthew Clarkson. *New York Genealogical and Biographical Records*, V, 171-2; *Docs. Rel. Col. Hist. N. Y.*, V, 478. Harme Gansevoort in 1750 paid £330 to Governor Clinton for the post of Town Clerk, Clerk of the Peace, and Clerk of the Sessions for the City and County of Albany. See *Bleeker and Collins Papers*, #9885-6, for deposition of Edward Collins, and for legal papers in connection with Gansevoort's right to hold this office. Also see *Idem* for suit between Peter Wraxall and Harme Gansevoort. Manuscripts and History Section, New York State Library, Albany, N. Y. A brief entitled, "Monday 22 April 1754 in an accon upon the Case to try the right to the Office of Town Clerk, ec. in Albany," in John Chambers' handwriting forms part of these papers.

<sup>4</sup>For petitions, consult O'Callaghan: *Cal. Coun. Min.*, Index. Also see Index in O'Callaghan, *Cal. Hist. MSS.*, Pt. II.

<sup>5</sup>For instance, see William Kent, *Memoirs and Letters of James Kent*, 32-3. Also see David McAdam, *History of the Bench and Bar*, I, 80; Roger North, *Life of the Right Honourable Francis North*, I, 32. The influence which William Smith, Sr., and William Livingston exerted upon the clerks in their offices deserves to be mentioned. These clerks played prominent roles during the years 1760-83.

<sup>6</sup>This petition, dated October 12, 1710, was signed by May Bickley, Jacob Regnier, Sampson Broughton, David Jamison, Thomas George, and Henry Wileman. *New York Colonial Manuscripts*, 54:80, MSS. and Hist. Section, State Library, Albany, N. Y. These records clearly indicate that an association of the bar of New York City existed at least as early as 1709, and probably earlier.

<sup>7</sup>William Smith, Jr., *History of the Late Province of New York*, II, 273. Smith was writing c. 1756. Evidence indicates that only certain select members of the bar were permitted to attend such gatherings. No record has been discovered of a bar association outside New York City. Possibly Albany with its eminent practitioners had one. The first bar association agreement in New York which definitely provided that those subscribing to it should exist as a fraternity was that of 1756. It should be noted that each of the bar agreements entered into during and after 1756 aimed to control the profession throughout the whole colony.

<sup>8</sup>Only lawyers of standing at the bar were admitted to membership in the Moot. Neither it nor the bar associations accepted law students. In this respect they differed from the Inns of Court, where students were expected to attend the readings and Moots. For a copy of the constitution of the Moot and for a list of its members, see Appendix IX, pp. 201-3.

<sup>9</sup>No evidence exists that the eight lawyers named in the Montgomerie Charter (1731) to conduct the business of the Mayor's Court of New York City ever organized as a fraternity or that they ever exerted any influence, beneficial or otherwise—distinct from that exerted by the profession generally—upon the members of the bar. For charter see *New York: Colonial Laws of New York*, II, 575, et seq., particularly 625-6. During the 1760's, a Debating

Society composed principally of young lawyers was organized in New York City. Its extant records show that for several years its members met quite regularly and discussed matters affecting their mutual welfare as well as the colony's future interests. See *James Alexander Papers*: "Moot Debating Club"; see also Appendix IX, pp. 204-5.

<sup>10</sup>This was required by its constitution.

<sup>11</sup>One commentator, writing of the influence of the Moot, states: "... and it has been said that they materially influenced the judgment of the Supreme Court. I find a question, connected with the taxation of costs, sent down to the Moot by the chief justice expressly for their opinion." (Theodore Sedgwick, Jr., *Life of William Livingston*, 151.)

<sup>12</sup>At each meeting the legal problem for consideration at the next session, and those who were to discuss it, were announced. At the close of the formal discussions the presiding officer called upon younger members to speak upon a phase of the problem under consideration, or extemporaneously upon some question of law. The Moot also gave its members another kind of training—that of reporting cases tried in the supreme court. They were, therefore, the first law reporters in New York. At the meeting on February 5, 1773, "It was ordered that three members of the Moot should be appointed on every first Friday in the months of April, July, October, and January to take notes on all Questions of Law that may be agitated in the Supreme Court during the succeeding Term, and that they make Reports thereof, and produce them to the Moot with all convenient Speed." And on April 2, 1774[3] an entry in the *Minutes* reads: "Pursuant to the Rule of the 5th February last the Moot appointed Mr. Duane Mr. Jones and Mr. Jay a Committee to attend the Supreme Court during the ensuing Term for the Purpose of taking Notes of Questions of Law, that may be then agitated and directed that they make Reports thereof and present the same to the Moot with all convenient Speed." Whatever reports there were, if any, have not been discovered.

<sup>13</sup>For a list of the members of the Moot see Appendix IX, pp. 202-3. Organizations somewhat similar to the Moot existed in other colonies. For example, in Newark, New Jersey, the *Institutio Legalis* was established around 1770. In Boston, Massachusetts, the *Sodality* flourished after 1765.

<sup>14</sup>Between 1664 and 1788 over 400 lawyers were engaged in active practice in the colony of New York. See Appendix II for lists of educated lawyers in the colony.

<sup>15</sup>The names of Livingston (23 of this name were lawyers between 1686-1786), DeLancey, Van Cortlandt, Clarke, Blagge, Clowes, Reade, Lurting, Whitehead, Williams, Collins, Stevenson, Yates, Nicolls, Hicks, Floyd, Jones, Matthews, Ludlow, Alsop, Colden, and others, would be found on such a list.

<sup>16</sup>Although William Smith, the historian, was not particularly enthusiastic about New York culture as it appeared to him around the middle of the eighteenth century, it should be remembered that he was a member of a zealous group of New Yorkers who were critical of all things that tended to detract from the reputation of the province. Among college graduates and lawyers who held similar views, although probably not so decided as

Smith's, were James Alexander, William Smith, Sr., William Livingston, John Morin Scott, Joseph Murray, John Woods, William Peartree Smith, Benjamin Nicoll, Thomas Jones, Moss Kent, Ezra L'Hommedieu, John McKesson, Anthony Rutgers, and William Wickham. William Smith's public and professional career as well as the nature and extent of his writings also offer substantial proof that he was ambitious to have the citizens of New York recognized for their refinement and education. Consult: William Smith, Jr., *op. cit.*, *passim*, and his name in the Indexes of *Docs. Rel. Col. Hist. N. Y.* and *Iconography*. See also the several manuscript volumes of Smith's writings in the New York Public Library, and references to him in the Index herein.

<sup>17</sup>The migrations of the Livingstons, Morrises, Nicolls, Coldens, Cloweses, and Van Cortlandts illustrate well this process. Other examples may be seen in the activities of the Emotts, Alsops, Filkins, Crannells, Crooks, Silvesters, and Wickhams. These families hailed either from New York City or from Long Island, and went for the most part to Ulster and Dutchess counties. Then, as today, country boys moved to and returned from the cities and more populous towns. A list of the names of such youths as well as of the younger and older practitioners who carried culture from the more favored to the less developed areas of the province would be impressive.

<sup>18</sup>David McAdam, *op. cit.*, II, biographical note. Certain it is that Emott's name is written in a number of the books on the shelves of the library of the Association of the Bar of the City of New York.

<sup>19</sup>Gerhardus remained loyal, and moved to Nova Scotia after the War for Independence. A grandson, Samuel Clowes, 3rd, practiced between 1760-90 in Queens County and New York City. Samuel, Jr., shared his father's large practice between 1724-60. Special mention should be made of the learning and culture to be found on Long Island, particularly in such places as Jamaica, Hempstead and Southampton.

<sup>20</sup>Located back of Newburgh, N. Y.

<sup>21</sup>Cadwallader Colden, writing to the Earl of Halifax in 1765, said: "In a Young Country, like this, where few men have any acquired learning or knowledge, where the Judges and principal Lawyers are proprietors of extravagant grants of land, or strongly connected with them in Interest, or family alliances, it is possible, that a dangerous combination may subsist between the Bench and the Bar. . . ." (*Docs. Rel. Col. Hist. of N. Y.*, VII, 677. Also see *Ibid.*, 705.) On July 16, 1749, from New York City Cadwallader Colden sent a letter to his son John, in Albany, explaining various points of law and informing him that the books requested had been "sent for to England." These were: "Coke's Institutes 4 Vol. Folio Lilly's Practical Register 2 Vol. Fol. Lilly's Conveyancer, folio Instructor Clericalis 6 vol. Octavo Office of Clerk of the Peace Office of Clerk of the Assize Jacobs Law Dictionary, Quinctiliani Institutiones Oratoriae." (*Additional Letters and Papers of Cadwallader Colden*, 1749-1775, pp. 34-6.)

<sup>22</sup>Under the Dutch, a notary public was by education and training qualified to perform the services of an attorney at law. See Berthold Fernow,

*Minutes of the Orphanmaster Court of New Amsterdam, 1655-1663*, Preface to Vol. I.

<sup>23</sup>*Minutes of the Court of Common Pleas in and for Albany County, 1763-66*, p. 36, June 9, 1763.

<sup>24</sup>Russell Headley, *History of Orange County, New York*, 303; S. W. Eager, *Outline History of Orange County*, 260-3. A number of persons later of consequence in the Province as well as under the new State of New York, lived near Wilemantan. Among these may be mentioned the Matthews, the Gales, and the Clintons.

<sup>25</sup>Henry Wileman married the widow of Petrus Bayard, and reared and educated several of the Bayard children. It is from this family that the Delaware Bayards are descended. See W. S. Pelletreau, *Genealogical and Family History*, I, 97-8; see also *N. Y.: Absts. of Wills*, IV, 42.

<sup>26</sup>This statement is based on the following: (a) The frequency with which the names of country lawyers—John Alsop, Gilbert Livingston, Peter Silvester (Dutchess, Ulster, and Albany counties), William Nicolls, Sr., William Nicolls, Jr., Richard Nichols, (Suffolk County), Samuel Clowes, Sr., Samuel Clowes, Jr., Thomas Whitehead (Queens and Kings counties), and others appear on the *Minutes of the Supreme Court sitting for New York County*. The business of the Westchester County Courts was controlled by the New York City Bar. (b) Many country lawyers were trained in law offices in New York City. A country lawyer's education was not considered complete without at least a few months' experience clerking in New York City. Returning to his own village or town, he carried with him law books, extracts from law books, or manuscript copies of legal material as well as a knowledge of how the city lawyers transacted business. (c) The regularity with which New York City lawyers followed the courts or appeared before them in such widely separated places as Albany, Goshen, Poughkeepsie, Richmond, and Southampton also substantiates this assertion.

<sup>27</sup>In the neighboring colony of New Jersey a number of lawyers after 1730 possessed libraries amply stocked with books. For example, Joseph Warrel, barrister at law, who practiced in New York in 1730-33, and who was attorney general of New Jersey for over fifteen years, left a considerable library upon his death in 1758. *New Jersey Archives*, XXXII, 349. John Coxe, who died in 1753, left a library the inventory of which showed that it contained 302 volumes on legal subjects under 191 titles. These were appraised at £225.16.9. It also included 97 volumes concerning miscellaneous subjects. *Ibid.*, 76. The inventory in 1785 of the library which had belonged to Joseph Reed, barrister, who practiced between 1763-85, showed it contained 237 law books under 135 titles. *Joseph Reed Papers*.

In Boston, Braintree, and Worcester, Massachusetts, well-stocked libraries also existed. This seems reasonably clear from the course of study John Adams outlined for himself, and from his statement of the books he read during 1758-60. He probably was not exceptional in his opportunities, for if he, a son of a farmer living in Braintree, could go to Boston and other cities, in which apparently there were also libraries, so could other country

youths. Moreover, most of the books listed by Adams as having been read prior to 1758 were read in Worcester, in those days a long journey from Boston. The books Adams read between 1758-60 were read in Braintree, a small town some distance south of Boston. Adams did not have the constant use of the library facilities of Boston. In his *Diary*, in November, 1760, he records: "I have read a multitude of law books; mastered but few. *Wood, Coke*, two volumes of Lilly's *Abridgement*, two Volumes *Salkeld's Reports*, Swinburne, Hawkins's *Pleas of the Crown*, *Fortescue*, Fitz-Gibbon, ten volumes in folio I read, at Worcester, quite through, besides octavos and lesser volumes, and many others of all sizes that I consulted occasionally without reading in course, as dictionaries, reporters, entries and abridgements, etc. I cannot give so good an account of the improvement of my two last years spent in Braintree. However, I have read no small number of volumes upon the law of the last two years;—Justinians Institutes I have read through in Latin, with Vinnius' *Perpetual Notes*; Van Muyden's *Tractatio Institutionum Justinian* I read through and translated mostly into English, from the same language. Wood's *Institute of the Civil Law* I read through. These on Civil Law. On the Law of England I read Cowell's *Institute of the Laws of England in Imitation of Justinian*, Doctor and Student, Finch's *Discourse of Law*, Hale's *History* and some Reporters. *Cases in Chancery*, Andrews, etc., besides occasional searches for business; also a General Treatise of Naval Trade and Commerce, as founded on the laws and statutes. All this series of reading has left but faint impressions and a very imperfect system of law in my head. I must form a serious resolution of beginning and pursuing quite through, the plans of my Lords Hale and Reeve. Wood's *Institutes of Common Law* I never read but once, and my Lord Coke's *Commentary on Littleton* I never read but once; these two authors I must get and read over and over again. And I will get them, too, and break through, as Mr. Gridley expressed it, all obstructions.

"Besides, I am but a novice in natural law and civil law. There are multitudes of excellent authors on natural law that I have never read; indeed, I have never read any part of the best authors, *Puffendorf* and *Grotius*. In the civil law there are *Hoppius* and *Vinnius*, commentators on *Justinian*, *Domat*, etc., beside Institutes of Canon and Feudal Law that I have to read." (C. F. Adams, *Works of John Adams*, II, 103-4.) This *Diary* of John Adams has for the years 1758-66 several other references to the course of law study he pursued as well as the names of the law books read and studied while he was securing a knowledge of law.