

the land of his deceased son, deemed to be escheat—a husband's soliciting the same privilege in respect to the lands of his wife who had died without issue, &c. The cases of all kinds in which lands were escheated under the proprietary government are, as I have said, exceedingly numerous, and yet I find it stated in an English law authority that escheat seldom happens to the *lord* for want of an heir to an estate. It is reasonable therefore to conclude that the law and rules of escheat rested very much upon the constructions and pleasure of the proprietary. The applications, orders, warrants, and other matters relating to escheats formed a great part of the business of the land office, although towards the latter period of the proprietary government the intervention of *proclamation* warrants superceded in some degree those of escheat; in affecting by a distinct kind of claim and process such lands as reverted back to the proprietary through non-performance of conditions. Escheat warrants continued however to be granted for property falling back for want of heirs—but the process of inquisition and regular condemnation previous to the sale or survey, was interrupted by the total change in the affairs of the land office occasioned by the suspension of the proprietary government in 1689. The disposal of escheat land was a matter which the king's governor and council could not assume without trespassing upon lord Baltimore's rights of property which, notwithstanding the severe proceedings against him in other respects, it had been thought proper not to invade. This was a trust confided to the proprietary's chief agent and other confidential officers, left in Maryland to attend to his interests, and who with considerable success opposed their personal weight and superiour abilities to the inveterate warfare that was carried on by the new administration against the remaining rights and influence of the absent proprietary; for though king William was content with depriving that nobleman of the powers of government, his officers in Maryland were willing to go much further, and were at length only restrained by positive injunctions from their sovereign to allow the proprietary's agents all proper means and facilities for collecting his rents and managing his concerns in the province. In the course of these ferments the chief agent appears to have claimed and sold lands as escheat without any condemnation or preparatory form, probably knowing that favourable decisions were not to be expected under the newly established order of things, and although he was called upon by the government to shew by what authority he sold lands as escheat *without an office found*, I do not perceive that the practice was ever fully resumed, and long before the period of our revolution it was wholly abandoned so that all that a person had to do who supposed land to be escheatable for want