

diately or otherwise from his grants. This, in the origin of the system, was in some sort the fact; for it was first exercised on Lands acquired by conquest. The Sovereign or General possessed of territory in this way granted large tracts of it to his Chief Officers and other deserving followers, under a condition of their performing certain services to or for the grantor when required: These Officers parcelled out a part of the Lands so acquired to their inferiours, and those in like manner to others, with similar reservations or conditions. When the whole of a Conquered Country came therefore to be occupied by the Conquerors and their descendants, (for we suppose the original people either extirpated or despoiled of all possessions,) it is plain that the titles of all the Lands held by individuals must be derived from the conquering King or General: but, in regard to those Countries in which the feudal Law was freely received and adopted, this principle was but a fiction. The Law, itself, however, having been received in England, this maxim, upon which the whole fabrick rested, was necessarily recognized with it, and is now an incontestible principle in the common Law of that Country, being as *Blackstone* expresses it “*the grand and fundamental principle of all feodal tenures.*”

But this System while it increased the national strength, being in fact, from the nature of the services required, a general military organization, became by means of doctrines not understood at the time of its introduction, but imported afterwards by the Norman Lawyers, and by abuses even of those doctrines, a source of individual hardship not to be borne by a people above the condition of absolute slaves. Although, therefore, the Norman Conqueror and his son William Rufus enforced the feudal principles in their utmost rigour, their successor Henry I. was obliged to consent to the abolition of the greater grievances, reserving however the grand original maxim of feudal tenure: but, the charter granted by Henry for this purpose was soon infringed, and the former hardships revived and augmented, until the Barons, or principal feudatories, rose up in arms in the reign of King John, and extorted from that monarch the famous *Magna Charta*, by which some limits were set to the complicated slavery under which all conditions of English subjects had so long groaned. The constitution of feuds subsisted however in considerable vigour until the reign of Charles II. when the military tenures, with their burthensome appendages, were abolished by Act of Parliament, and the others, with a few particular exceptions, resolved into that of *Free and common Soccage*. As the grant and settlement of Maryland however, were prior to this amelioration, it is necessary to take notice of what are called the *ancient English tenures*: