

tion, or as soon as they should be thereunto required. By this it was sufficiently shewn to be the *intention* of the legislature that the business of the land office, in respect even to lands not yet granted, should be assumed and carried on under the authority of the state, and by its officers, (a) in exclusion of the proprietary.

The next act of the legislature of Maryland which has relation to this subject is that of October session 1777, chapter 8, by which the state appeared to have *in view* its succession to the bodies of land still remaining vacant, by promising certain bounties of land to recruits for the army, and to recruiting officers, with a declaration, however, that if no other method should be provided within the time specified in the act, for laying out the quantity of land required to make good that engagement, it should be procured within the limits of the state at the public expence. This kind of proviso was repeated in several subsequent acts promising bounties of land for military service.

The act of October session 1780, by which, for reasons therein set forth, all property, debts only excepted, belonging to British subjects, was declared, under certain specified exceptions and reservations, to be confiscated to the use of the state, put an end, as I conceive, to the questions, (b) how those bounties of land were to be furnished, and what was to be the future destination and employment of the land office. Without entering into an enquiry whether Mr. Harford might have availed himself of any of the excepting clauses or conditions of this act, it is sufficient to say that he did not do so; and, whether by the direct force of this general confiscation, or by natural and necessary consequence from our renunciation of all foreign sovereignty, dominion, and jurisdiction whatever, the right of the state of Maryland to the property in land held by the late proprietary was from this time deemed to be affirmed and indisputable. Having thus shewn the state to be in possession not only of the land office, containing the records of warrants, certificates, and patents, and the original papers belonging to surveys of land, from the first settlement of the country, but also of the land itself, vacant and otherwise, deemed the property of the proprietary at the time of

(a) This may seem to have been a thing not liable to any question, but there was in fact a strange hesitation, as well in the new government as in the previous temporary authorities, in regard to the land office; and an idea was professedly entertained by those in the service of the proprietary that the office was to be held as usual under their care.

(b) I have passed over a partial confiscation or sequestration of the property of Mr. Harford, together with that of the trustees of the bank stock, in the act of June session, 1780, not meaning any thing like a critical examination of the means and steps by which the proprietary estates became vested in the state.