

was yet found difficult, or impracticable to have any such inquests of office executed for his benefit, and as a safeguard to the rights of the citizens; and therefore, during that time, his agents issued warrants, and made out grants for all escheated lands without any previous inquest. After the government was restored to the Lord Proprietary, the granting of escheated lands without any previous inquest of office was still continued; *Greaves v. Dempsey*, 1 H. & McH. 65; *Lord Proprietary v. Jennings*, 1 H. & McH. 119, 138; *Thomas v. Wootton*, 4 H. & McH. 428; and this practice having been followed up in the same way ever since, under the State government, the holding of an inquest of office in any such case must now be considered as having been thus virtually abolished. *Land Ho. Ass.* 160, 162, 176; *Owings v. Norwood*, 2 H. & J. 96. He who discovers the escheat and sues out an escheat warrant, is entitled, as formerly, to have a patent for the land on paying two-thirds of its value; which value, instead of being ascertained, as formerly, by inquest, is now estimated and returned to the surveyor under his oath of office. *Land Ho. Ass.* 319, 435, 438; 1800, ch. 70. It has been laid down since the Revolution, that the State, as to the lands of the Proprietary, stands in his place; and that they remained subject to all claims and rights created and acquired under the Proprietary; *Land Ho. Ass.* 300; *Ringgold v. Malott*, 1 H. & J. 317; and further, that by the Acts of Confiscation, passed during the Revolutionary War, all British property was seized and vested in the State without office found. *Land Ho. Ass.* 301, 332; *Ringgold v. Malott*, 1 H. & J. 317; *Owings v. Norwood*, 2 H. & J. 96; *Hall v. Gittings*, 2 H. & J. 112.

What is here said, in regard to inquests of office, must however be understood as applying only to cases where the lands of a citizen have escheated on his death intestate without heirs; for **308** * as to an alien, it has been held, that his title, which he has acquired by purchase, is good against every body but the State, and cannot be divested without office found; *McCreery v. Allender*, 4 H. & McH. 409; *McCreery v. Wilson*, 4 H. & McH. 412; *Fairfax v. Hunter*, 7 Cran. 619; although it would seem, that, as regards the interests of creditors, it may be considered as having devolved upon the State without any previous inquest of office. 1799, ch. 79, s. 7. It is now unnecessary to say any thing of forfeited lands, of which it was formerly made the duty of surveyors to give notice, *Land Ho. Ass.* 439, since it has been declared, that no conviction or attainder shall work corruption of blood or forfeiture of estate. Decl. Rights, Art. 24; 1809, ch. 138, s. 10.

In the original conditions of plantation, it was declared, that a legal title should be made to all purchasers from the Proprietary by a grant under the Great Seal of the Province; *Land Ho. Ass.* 30, 39; thus indicating at once, and from the outset, to all purchasers, that there should be a Chancellor, or keeper of