

third persons, and so on, every subdivision being still capable of becoming a manor; but, as all manors had the same (c) privileges, the superiour Lords found that by this method of subinfeudation, as it is called, they lost their feudal profits of Escheats, &c. which fell into the hands of the mesne or middle Lords as being the immediate superiours of the *terre tenant*. This gave rise to the statute *Quia Emptores* in the reign of Edward I. which directed that in all sales or feoffments of land the purchaser should hold not of his immediate feoffor, but of the chief Lord of the Fee, of whom the seller himself held it. The operation of this statute, the reader will have observed was, dispensed with in the grant to Lord Baltimore, whose tenants it was conceded should hold of him, and not of the crown. How far this exemption from the statute destroyed its force beyond the Proprietary's immediate tenants is not clearly perceived, nor does the point appear to have been well settled in Maryland; for, many questions arose relative to the rights of the Lords or owners of manors in opposition to those of the Proprietary as Chief Lord of the Fee. The practice of subinfeudation does not seem however to have been permitted much to Lord Baltimore's prejudice, as all fines for alienation, and Escheats for want of heirs appear to have gone to him, and not to the proprietors even of the most extensive manors which he granted; but there are some instances to shew that Escheat or forfeiture for non-payment of rent and on other accounts, was claimed by the Lords or owners of large manors, which as to the article of rent was perfectly fair in respect to the Proprietary, as he received from the Lord himself his stipulated rent for the whole manor. The example which will presently be given of a grant of a manor will shew what privileges he assigned expressly to his most favoured tenants, and the rest are presumed to be reserved for his own benefit.

Of Escheats, which have frequently been mentioned I shall in this place only state the original doctrine as laid down by Blackstone, who defines it to be "the determination of the tenure, or dissolution of the mutual Bond between the Lord and tenant, from the extinction of the blood of the latter either by natural or civil means. "If," says this writer, "he died without heirs of his blood, or if his blood, was corrupted and stained by commission of treason or felony; whereby every inheritable quality was entirely blotted out and abolished. In such cases the land escheated, or fell back to the Lord of the fee; that is, the tenure was

(c) Some manors had special or extraordinary privileges, but to the extent of the customary and established privileges the large and the small manors were upon an equality.