

" determined by breach of the original condition, expressed
 " or implied in the original donation. In the one case there
 " were no heirs subsisting of the blood of the first feuda-
 " tory or purchaser, to which heirs alone the grant of the
 " feud extended : In the other, the tenant, by perpetrating
 " an atrocious crime, shewed that he was no longer to be
 " trusted as a vassal, having forgotten his duty as a subject ;
 " and therefore forfeited his feud, which he held under the
 " implied condition that he should not be a traitor or felon.
 " The consequence of which in both cases was that the
 " gift, being determined, resulted back to the lord who gave
 " it : " In this account of the principle of Escheat, Black-
 stone speaks of it as a consequence of the tenure in Chival-
 ry, but it is presumed to have been suffered to remain as
 an incident to socage tenure by the Act of Parliament alrea-
 dy mentioned.

CHAPTER III.

CONDITIONS OF PLANTATION, PROCLAMATIONS, OR- DERS, &c.

HAVING thus traced the origin and early history of
 the Province of Maryland ; having noticed the most impor-
 tant articles of the Charter, and endeavoured to explain the
 tenure under which it was granted, and the immunities which
 it conferred ; having also given some account of the mea-
 sures adopted by the Proprietary for realizing the intention
 of his grant, by obtaining the possession or the uncontested
 ownership of Lands for the purpose of settlement, we are
 next to consider the method pursued, and the inducements
 held out, for procuring the emigration of Adventurers, as
 the early settlers were appropriately called. This was by
 proposals made and published under the hand and seal of the
 Proprietary in England by the title of *Conditions of Planta-
 tion*, for which the settlement of the elder Colonies had un-
 doubtedly furnished precedents both in form and substance.
 The first of these appears by various references to have been
 published in the year 1633, and the terms therein " pro-
 pounded " and promised are to be inferred from the grants
 subsequently directed to be made to those persons who had
 become entitled to Land under those first conditions ; but
 the document itself is not found on record, and probably ne-
 ver was recorded or published in this country. The oldest
 conditions of Plantation on record are dated at Portsmouth