to indicate that security was required only in proceedings upon that form, in point of fact before the sheriff was permitted to execute the writ in either form he was required to take the surety. The writ of replevin, the issue of which is noted with frequency in this record, was for trial of a claim to goods as owned by the plaintiff but detained from him by the defendant, and it commanded the sheriff at the outset to seize the goods.

It will be observed that a great part of the record is taken up with inquiries or inquisitions, not in proceedings between private parties, but in proceedings on behalf of the Proprietary. The most important are what were called inquisitions or inquests *post mortem*, and inquisitions *ad quod damnum*. The first, inquisitions *post mortem*, were ordered in England upon the death of a tenant *in capite*, or one who had held land directly of the King, or of the Bishop of the palatinate, for ascertaining what the lands were that had been held, of what age the tenant had been, and who was the heir, if any should be found, to the end that the King or Bishop should be protected in his rights. A statute of Henry VIII had provided in England a special court, the Court of Wards and Liveries, to conduct these inquiries; and the tenures inquired into, the inquiries, and the court, all, were abolished on the restoration of Charles II. In Maryland, a deceased landholder's situation would in all likelihood be known, and the writ was applied for in the greater number of instances by a private person with the assurance that there was no heir to take, that the land had escheated, and that it was therefore eligible for new patenting. Lacking any special court for it, the court of Chancery, throughout the time of this record, appears to have taken over the inquisitions upon the deaths of tenants of the Proprietary, to the extent, at least, of issuing the writs. The Provincial Court records contain entries of proceedings in the same cases, and it may be proper to classify the cases as those on the common law side. In England there were several forms of the writ, all with distinct names, and the same names are used in this record. If the writ for the inquiry was issued within a year after the death it was known in England as a writ of *quem diem clausit extremum*, from the Latin words reciting the fact of death of the tenant, that is, that he had brought his last day to a close. Where a year had elapsed, the writ then issued was known as a *mandamus*. If, after the issue of either form of writ no return, or an insufficient one, was made, another might be issued for a better or further inquiry, and it would be known as a writ *de melius inquirendo*. When land was omitted from a first inquiry a writ of *quae plura* would follow. A form used when the heir of a tenant died within age was called a writ of *devenerunt*. All were writs for inquisitions *post mortem*. The return of the jury summoned for the inquiry was known as the "office found," the common expression for findings upon inquiries on behalf of the Crown. In Maryland the writs were regularly issued to special commissioners; in England, while sometimes issued to commissioners, they were more often issued to an officer called the escheator. While the proceeding in Maryland was commonly instigated by a private individual who desired to take up the land as having escheated to the Proprietary, it will be noticed that relatives and connections of the deceased tenants sometimes applied for a preference, and sometimes got it. The Proprietary appears to have exercised a discretion in this. These inquisitions in