

ry by the certain or fixed nature of its services, in opposition to the uncertain or arbitrary services of the other, and reasoning from this favourable distinction, derives it from the Saxon word *soc*, signifying liberty or privilege, to which word a usual termination being added makes *socage*, in latin *socagium*, meaning a free or privileged tenure. Mr. Blackstone, however, is in this matter opposed to earlier writers, who derive *socage* from *soca* an obsolete latin word signifying a plough, and who assert that *socage* tenure consisted originally of nothing but services of husbandry, as, to plough, sow, reap, &c. for the Lord ; that this service was in process of time changed by consent into an annual rent, but, in memory of its origin, still retained the name of *socage* or plough tenure. Without claiming to be the author of the first mentioned etymology, Blackstone reasons strongly in favour of it from the great immunities which the tenants in free *socage* always enjoyed ; so superiour, as he observes, to those of the tenants in Chivalry that in the reigns of both Edward I. and Charles II. when reforms were on foot, it was thought a point of the utmost importance and value to the tenants to reduce the tenure by Knight Service to *Frank ferme* or tenure by *socage*. Whatever may have been the real origin of this species of tenure it was, without the least doubt, at the time of Lord Baltimore's grant, an honorable and advantageous one, as there are reasons to believe that the Charter was in a great measure penned by his father Sir George Calvert for whom as has been stated it was first designed.

Having, as he supposes, settled the meaning of the word, Blackstone deems it probable that the *socage* tenures were not among the feudal establishments brought over by William the Norman, but were the relics of Saxon liberty retained by such persons as had neither forfeited them to the King nor been obliged to exchange them for the more honourable, but also more burthensome, tenure by Knights service, and instances in support of his conjecture, the tenure called *Gavelkind*, now acknowledged to be a kind of *socage* tenure, but which was certainly a Saxon custom that withstood the innovations of the Norman Conqueror.

It would lead me much too far to pursue, even in this hasty manner, the disquisitions of the learned writer whom I take for my text on the subject of *socage* tenure, into which he resolves various customs and incidents that do not appear to have been in view in the Charter of Maryland, such as Reliefs, Primer Seizins, Wardships, &c. but fines for alienation, and Escheats, which he deems to have been due for lands holden of the King in capite, as well by *socage* tenure, as by the tenure of Knights service, have, something to do