

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; (z) 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. (a) It is now unnecessary to say any thing of forfeited lands, of which it was formerly made the duty of surveyors to give notice, (b) since it has been declared, that no conviction or attainder shall work corruption of blood or forfeiture of estate. (c)

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*; (d) thus indicating at once, and from the outset, to all purchasers, that there should be a Chancellor, or keeper of the Great Seal of the Province; whose duty it should be here, as was the duty of the similar officer in England, to pass upon and authenticate all patent grants for lands. (e) But although by a commission, dated on the 15th of April, 1637, the first governor was constituted "*chancellor, chief justice, and chief magistrate within the province, until officers and ministers of justice should be appointed*;" (f) yet grants for lands to the first settlers were issued and authenticated under the hand and seal of the governor alone; and it was not until about the year 1644, that patent grants were authenticated by the Chancellor under the Great Seal of the Province, according to the English mode of making out such deeds. (g) From that time, however, to the present, patent grants have been made out and authenticated according to the form now in use.

The increase in population, and the spreading out of the settlement of the country, so multiplied the demands for the proprietary's lands, that in the year 1680, for the greater regularity and despatch of business in that respect, a *Land Office* was established; in which it was directed, that authentic records of all proceedings in relation to the sale and granting of lands should be made and kept, (h) certified copies of which, as of any other records, are held to be legal evidence. (i) This office was appended to the common law

---

(z) *McCreery v. Allender*, 4 H. & McH. 409; *McCreery v. Wilson*, 4 H. & McH. 412; *Fairfax v. Hunter*, 7 Cran. 619.—(a) 1799, ch. 79, s. 7.—(b) Land Ho. Ass. 439.—(c) Decl. Rights, art. 24; 1809, ch. 133, s. 10.—(d) Land Ho. Ass. 30, 39. (e) Land Ho. Ass. 64.—(f) 1 Boz. His. Mary. 292; Land Ho. Ass. 64.—(g) Land Records, lib. No. 1, folio 195.—(h) Land Ho. Ass. 103, 232, 283.—(i) *Thornton v. Edwards*, 1 H. & McH. 158.