

## CHAPTER XII.

## PROCEEDINGS IN THE NATURE OF DISPENSATIONS OR REMEDIES.

THE extracts of which I have here judged it proper to form a particular class are examples of various proceedings according with the title I have given them. They might be more numerous, but there is no design in exhibiting them but what is sufficiently answered by the few here collected. How far these, and other "acts of favour," as the proprietary government was fond of calling many of its proceedings, are to be considered as evidencies of the regular practice of the Land Office I shall not pretend to determine; but, being inclined to think that they demonstrate rather the power of the proprietary, and the discretion vested in his officers, than the common operations of a regulated system, I have not shewn them in all the variety which the records would afford. The great number, indeed, of cases which might come under this description, and the difficulty of distinguishing those which are decided on their merits from others resting on mere influence and favouritism, renders a selection somewhat perplexing, and is in part the cause of my giving so slight a sample of these proceedings.

*Lost Warrant Renewed.*

" Luke Gardiner declares on oath that a warrant granted to him for 350 acres of Land had been *accidentally lost*, that neither himself nor any other person by, for, or under him, or by his consent, privity or knowledge, ever made use of any part or parcel thereof, or received any benefit thereby, save only one hundred acres part thereof by him assigned to Thomas Mattenly, &c.

" Warrant granted for 250 acres to Richard Eleden, assignee of Gardiner."

LIBER, W. C. No. 4, folio 106.

*Warrant renewed upon abandonment of a survey actually made, but of which no certificate had been returned.*

" Andrew Abington made oath that, although upon the return of a warrant for five hundred and fifty acres granted to him, &c. there was an endorsement of the surveyor purporting that a survey had been made under the said warrant of 150 acres, called "the Indian Cabbin Branch," he the said Abington