

the land office terms of Pennsylvania, and the agreement between the two late proprietors, or where any sale should be acknowledged by the commissioners or the intendant to be a mere mistake so that the purchaser could hold no part of the land; and the chancellor was authorised to grant any lands held under an equitable title as aforesaid where the office terms of Pennsylvania had been complied with, and for which a grant ought therefore to have passed, in the same manner as he was before empowered to direct grants for lands within the limits of Maryland which had been theretofore actually granted by the Pennsylvania proprietaries. The commissioners were empowered to stay executions where the purchasers of confiscated property should declare by affidavit that they had, in their belief, just ground or cause for relief from their bonds or contracts, in whole or in part, specifying the particular ground of that belief, and it was provided that where, in the case of any lands sold by the commissioners or the late intendant, the purchasers should afterwards be legally deprived of any part thereof (by persons having titles not known at the time of sale) whereby the remainder would become of inconsiderable value, the chancellor, upon a view of all circumstances, might make such decree therein as equity and justice should require.

By an act of 1788 (ch. 37) a remedy was provided for some hardships experienced by certain purchasers of confiscated property, by which the rules of the land office were in some degree affected. Persons who had purchased different parcels of leased and vacant land within the proprietary's manors or reserves in Baltimore county, adjoining their own lands, in order to avoid the expence of separately surveying all those parcels had them included in resurveys with their other lands, but could not obtain patents, the resurveys being irregular, since the county surveyor, who had made one of them, could not legally include those leased lands, and the special surveyor, who made another, was not authorised to resurvey patented lands. The proceeding was doubtless contrary to all existing regulations—The certificates were however directed by this act to be received into the land office, and patented as regular resurveys, and further resurveys of the same kind were authorised in all similar cases.

Among the lands sold as confiscated property by the intendant of the revenue, who had succeeded the commissioners in that business, were those called the Nottingham lot lands, and the Welch tract, in Cecil county, the settlers on which who became in general the purchasers, by petition to the assembly, in 1788, alledged that they held under equitable titles acquired from the proprietaries of Pennsylvania while the boundaries of the two provinces were in controversy