remained in the state, subject to be disposed of in the mode in which lands liable to escheat may be disposed of according to the law and rules of the land office.

Submitting, therefore, to the judgment of the Court of Appeals, as all inferior tribunals are bound to do, I consider it my duty to overrule these *caveats*. It is, thereupon, adjudged and ordered that the *caveats* in these cases be, and the same are hereby dismissed, but that each party pay his own costs.

JNO. M. BREWER, for the Caveators.
THOS. PERRY, for the Caveatees.

ARCHIBALD CHISHOLM
vs.
THOMAS PERRY.

GEORGE SMITH
vs.
NELSON BAKER.

LAND OFFICE, 29th OF JULY, 1851.

[PRACTICE IN THE LAND OFFICE—EVIDENCE.]

THERE is no rule of the land office which requires that a *caveat* shall be dismissed because the caveator did not show an interest in the matter in dispute.

The judge may on *caveat* or on application for a patent, where there is no *caveat*, refuse a patent on account of a violation of the rules of the said office.

Plats authenticated by the signature of the county surveyor, and returned under the orders of the court, must be treated as evidence and have weight accordingly.

[The facts of these cases are sufficiently stated in the opinion of the Chancellor.]

THE CHANCELLOR:

There being no dispute about the law of the land office applicable to these cases, the only question is, whether the caveatees, by competent evidence, have established the fact that these certificates include distinct parcels of land not contiguous to each other. If they have succeeded in doing this, it follows, of course, that the *caveats* must be ruled good.

It is, to be sure, said, in the argument of the counsel for