England dealt more extensively with descents, and provided valuable sources of information. They afforded, said Lord Erskine, opportunities for establishing descents "much superior to the modern means by the register of births and baptisms." And Lord Mansfield said, "The proof of pedigrees has become so much more difficult since inquisitions *post mortem* have been disused, that it is easier to establish one for five hundred years before the time of Charles II, than for one hundred years since that reign."

An inquisition, or investigation and report by a body of jurors, usually twelve or more, was an old device of many uses, and others will be illustrated here. The Chancery Court, as will be seen, used it for determining boundaries of land, and the common law courts used it even more often, for the same purpose. Warrants were issued by the courts of one kind or the other for resurveys of land in dispute by the inquest, or the body of jurors, with the aid of surveyors, and the resurveys returned would serve either to settle the disputes, or to aid in the trial of them. The Chancery Court sometimes ordered these resurveys made in connection with inquisitions *post mortem.*

The writ of *ad quod damnum* directed a sheriff to institute an inquiry by the usual twelve men to ascertain who might be damaged by the taking of property for a public purpose, such as the erection and maintenance of a water mill, and what might be the amount of any damage. One of the public purposes which will be noticed here (pages 71 and 378), was that of providing land for the separate use of Indians. The proceeding would be the still familiar one of condemnation of private property for public use, but the writ is no longer made use of as the initiating step.

Another proceeding frequently instituted on behalf of the Proprietary was that for revocation of a land patent in the Province, on the ground that it had been improperly obtained, or was forfeited. It probably had no exact parallel in England at the time, but was appropriately conducted as a Chancery proceeding because Chancery regularly had jurisdiction of the cancellation of instruments. The proceeding was initiated by the issue of a writ of *scire facias,* requiring the sheriff named to give the landholder notice of the claim and the intended proceeding.

The writ of error of the issue of which there are many instances, was a command to the court in which a case had been tried to send the record of the trial proceedings to the higher court, the Provincial Court or the court of the Governor and Council, as the case might be, for review of the judgment in that higher court. A number of these are spread out at length, and some are merely noted. They were commissions or authority to the higher courts for reviewing the particular cases, as well as commands for the transmission of the records, but judges were not appointed in the writs, the tribunals having already been established by general commission, and being permanently in service for such matters. In this respect a writ of error differed from that for review in a Court of Delegates, the occasional court, commissioned for one case only.

The writ of diminution was one which would follow upon the transmission of a record, to have deficiencies or omissions supplied.

The writ of *supersedeas* was an order to stay execution of a judgment or decree while a further proceeding, as an appeal, should be taken and disposed of.