

case, something like a form would probably have appeared, instead of the very simple recital and direction contained in this and many succeeding warrants. The object indeed of this resurvey was such as the government could not be in any manner interested to prevent, being merely the connecting of several small surveys in one grant: It was rather a convenience, in regard to the collection of rents, to have to do with one substantial tenant, instead of a number of poor ones; and while the warrants of resurvey embraced no privileges respecting vacant land, they appear to have been issued readily upon application. As soon as the right to take in vacant land became attached to this warrant, it was obtained with more apparent difficulty, although the privilege went, at first, no further than the completing the quantity of the original grants, if they should be found deficient, by vacancy thereto adjoining, if to be found; and if not by vacant land elsewhere. The privilege of adding all contiguous vacancy in resurveys is as before observed of comparatively late date, and appears to have arisen out of considerations, which had for their object the proprietary's (*d*) advantage and not that of the patentees. The right to correct and (*e*) amend errors in the original surveys, especially to the prejudice of younger surveys, is also an ingredient not at all times found in the form of these warrants.

The resurvey which has been here exhibited was made on lands never separately patented, and was founded on no alleged errors in the former surveys or any apparent motive but that of connecting them in a single grant. The following warrant relates to a patented tract, and is grounded on an alleged interference of lines.

After a petition from Thomas Smoote, and an order for its being granted the record proceeds—

“ Thomas Smoote to us maketh complaint that the lines of  
 “ a parcel of land belonging to Robert and Thomas Hatton  
 “ containing five hundred acres doth into a parcel of land  
 “ run formerly taken up by Thomas Gerard now in the pos-  
 “ session of the said Smoote, containing also by estimacon  
 “ five hundred acres, desiring warrant to resurvey his said  
 “ land by the former lines first run out for the said Gerard.  
 “ Wherefore lay out for the said Thomas Smoote the said  
 “ parcel of land according to its ancient bounds, and make

(*d*) The disposal of land which might otherwise be left in narrow slips, or in other inconvenient forms and situations, so as to become unsaleable.

(*e*) It is not meant to say that this privilege or that of adding contiguous vacancy is of very modern date; but they did not belong originally to warrants of resurvey.