

ly by the surveyors ; in others that they went in the first instance to the land office, the council, &c. Always, however, before being placed on file in the office, they passed through the hands of the examiner, and, if approved by him they were received to be recorded and patented ; if not, they were returned to the surveyor for correction, and when amended were submitted again to examination. Concerning the surveyor general, I have nothing to add, nor any thing relative to the judges except that they were in all cases of dispute in the land office to be assisted in their determinations by the chancellor, who was, from the time of that arrangement, no other than the governor of the province. The changes, therefore, in regard to the authority of judging and deciding land office disputes were more in form than substance, and the power ended nearly where it began, for, even when the board of revenue claimed a right to act on appeals from the decisions of the judges of the land office, the governor was at the head of that board, and nothing of moment was done without his assent. The judges were, in fact, but executive officers charged with the direction of an establishment of great importance to the proprietary ; the office was theirs, and not that of the chief clerk, who was commissioned by them, and had nothing of the character of a public officer but the power of attesting copies with his name joined to the seal of office. Warrants were signed by the judges, and the fees received for their use. In any attempt therefore to compare the former with the present establishment, the *judges and registers* of the land office will be found to have occupied the place now held by the register rather than that assigned to the chancellor as judge of the land office, but still with so many circumstances of difference that it is not worth while to pursue the analogy ; having therefore, as I presume, described the *organization* of the land office establishment as clearly as so equivocal and complicated a system would admit of, I shall wind up the first part of this undertaking by some general and summary observations concerning the ancient practice.

The various instructions, orders, commissions, and examples that have been exhibited leave but little to be said, except by way of recapitulation, concerning the rules of the land office under the proprietary government, nor are there any means of stating them in the abstract but by inference from those documents, as there is not a record, or even a memorandum, left in the office, purporting to lay down or explain its rules of practice. The only matter which I can perceive not to have been sufficiently explained in the preced-