

Where a minor's interest appeared to be affected, the matter, whatever it might be, was generally put off until he became of age; but this did not prevent resurveys or other proceedings evidently in favour of the minor.

A caveat might be entered, but could not be brought to hearing, before the return of a certificate:—the duration of caveats was formerly for ten, but by the last instructions, for six months, and they could not after that time be renewed except upon special reasons.

Finally, the legal title to land, under a patent, was held in the land office, according to such rights as I have been able to obtain, to commence with the date of the certificate; the date of the warrant, in a question of eldership between two patents, not being regarded. Many endeavours were therefore used to get the first certificate, and it behoved a person having the first warrant, or being otherwise entitled to a survey, to enter a caveat, and stop the issuing of his adversary's patent.

In regard to formal adjudications, expressly establishing any of the principles here laid down, the land office does not furnish them, and I purposely avoid meddling with the decisions of courts of law or equity: the records afford, indeed, abundance of cases in which, on petition and summary hearing, questions of preference and right have been decided in the land office; but, few even of these appear in that period of the proprietary's government which, as coming near to the present times, would be the most interesting; and decrees at large, stating and summing up the merits of contests, and settling important principles, such as have been in practice under the present government, are scarcely to be found in any part of the land records. Besides which, the *minute* books, which should shew the progress of controversies from the entry of caveats to the final adjudications, being wholly lost, it would be extremely difficult to get together the scattered parts of cases, so as to make a report of any importance:—I shall therefore, after a few further general remarks conclude my account of the history and ancient practice of the land office. The proprietary's officers it would appear, did not know exactly at what point to stop, as warrants were issued under his authority as late as May 1777, and patents under the great seal nearly to the same time. The declaration of independence unquestionably dissolved the proprietary right in matters of government: Mr. Eden withdrew about the period of that declaration; but, in the same manner as had been practiced in the temporary revolutions of the province, the proprietary's officers continued the operations of the land office, until, through the official