

proprietors of such certificates were entitled to grants "in equity and justice, and agreeably to the rules and practice of the examiner general under the old government in passing certificates in which the quantity of land expressed in the certificate is exceeded, and of issuing grants on such certificates;" in which case, he was to order grants to issue: but if he found the parties not so entitled, he was to endorse on every such certificate his order or decree that the same was void and of no effect, after which the party was to receive an order on the treasury for the caution or composition money paid on such certificate, which the treasurer was to discharge out of any money not specially appropriated, and retain the certificate as a voucher.

By the third section of the same act of 1784, chapter 75, it was ordained that any grant issued or to be issued for land lying within any manor to the westward of Fort Cumberland should be void, and so held and adjudged in any court of law or equity within this state.

By an act of 1785, chapter 81, the state relinquished all claim to payment for *surplus land* contained within the proprietary grants, by declaring that no caution or composition money should be required for any surplus land on any certificate then returned, or thereafter to be returned, on resurvey of any tract or part of a tract of land granted before the first day of January seventeen hundred and seventy seven: and by a supplement thereto passed at April session, 1787, chapter 43, it was declared that even where on resurvey of several tracts or parts of tracts under the same warrant there appeared to be surplus in some and deficiency in others, the surplus on the one hand should not be applied to make good the deficiency on the other. These are among the provisions by which, as I have stated in the former book, a quietus was given upon the subject of surplus land.

To complete the disposition of whatever remained of the property or concerns of the government it was provided by the act of 1781, chapter 20, section 4th, that the treasurer of the Western Shore should have the care and possession of all the debt-books and other papers relative to the revenue of the late proprietaries.

In order that disputes concerning matters which had taken their rise under the proprietary system should not be determined by other rules than those which prevailed when the causes of such disputes took place, it was provided by the 6th section of the aforesaid act, that the chancellor in considering and deciding on the validity of surveys or grants of land, should be governed, as to all warrants, or surveys, theretofore granted, or made, by the *former rules* of the land office: and, the same principle was in the succeeding section