

applied to the *examination* of old certificates. The foregoing provisions have been selected from the early acts of assembly as adjusting matters left in unfinished or doubtful situations by the former government, and, as before mentioned, connecting the old with the new proceedings of the land office: I shall proceed now to a more general examination of those acts.

The act of November session 1781, chap. 20, "to appropriate certain lands to the use of the officers and soldiers of this state, and *for the sale of vacant lands*," which has been already so often cited, and which is by subsequent acts, as well as by general acceptance, termed *the law opening the Land Office*, is the first that makes arrangements for disposing of the state's right to vacant land. This act, after a preamble reciting that "there are large tracts of land within this state reserved by the late proprietaries which may be applied in discharge of the engagement of lands made to the officers and soldiers of this state, and" that "the granting the other vacant lands in this state would promote population, and create a fund towards defraying the public burthen," proceeds as follows:

"Be it enacted by the general assembly of Maryland, that all the lands within this state in Washington county, westward of Fort Cumberland, and for which located warrants have not issued, or surveys been made under common warrants and are now *bona fide* the property of any subject of this or any of the United States, and on which the money has been actually paid, shall be and are hereby appropriated to discharge the engagement of lands heretofore made to the officers and soldiers of this state, and the residue to the use of the public, as the general assembly shall hereafter direct; and no grant shall issue on any survey made in virtue of such warrants before the order of the general assembly."

This section is inaccurately worded, and its meaning may be better understood by a transposition and some change of terms, so as to read in substance, that all lands within the state in Washington county, westward of Fort Cumberland, were appropriated to discharge the engagement made to the officers and soldiers, and the residue, after completing that engagement, to the use of the public, &c. except those lands on which locations had been made by special warrants, or actual surveys had been made under common warrants, (which warrants or surveys, and the rights resulting from them, were at the time of passing the act *bona fide* the property of subjects of Maryland, or of some of the United States) and for which lands the composition money had been paid, but with a proviso that the lands so surveyed or located, and paid for, though