

compass : but that the chancellor may on such adjudication, or on the certificate of the party claiming under such original grant, order a patent to issue confirming to the said party the lands which shall be determined to have been originally included by the courses therein expressed ; for which land, or for the improvements thereon, no payment shall be required. This section also directs that no patent shall issue on any certificate of survey returned, or to be returned, unless upon proof of notice having been given by the party applying for such patent to the person or persons whose land may be affected by such survey, or their attornies, agents, &c. ; but this strange and impracticable regulation was repealed by the act of April, 1782, ch. 38, which directs that when certificates, under warrants granted since the passage of the preceding act of 1781, have remained in the office six months after being compounded on, grants may issue without the notice required by that act. As the language of the last mentioned provision is that such certificates *shall* lie in the office six months after they shall be compounded on, it seems also to repeal the privilege noticed a while ago of obtaining a patent without making full payment of the composition.

The 13th section declares, by way of proviso to that part of the preceding one which regards vacancy occasioned by the variation of the compass, that if the chancellor shall be of opinion that the land claimed as vacancy was not originally included, and shall order grant for the same, the person claiming under the original patent shall "have a right to controvert by trial at law, whether the same land or any part thereof was originally included in the certificate on which the original grant did issue," and that "the opinion of the chancellor shall have no influence on the question before a jury, but the matter shall remain in the same manner as if no determination by the chancellor had been given.

The 14th section I think it best to insert at large, in doing which I shall designate by italics, as the last edition of the laws has done, that part of it which is (a) repealed.

"AND whereas the allowing natural or artificial boundaries to be expressed in certificates may prevent injury from the variation of the compass, BE IT ENACTED, that the surveyor may insert in any certificate any boundary, artificial or natural, as being at the end of the distance expressed, provided he shall actually measure such distance ; and, in case the length of the line expressed in the certificate shall not reach the boundary, and the line shall not have been actually run, on caveat against grant issuing on such survey the same shall be void, so far as that the land which is excluded by running from the end of course and distance to the end of the next

(a) By act of November, 1787, ch. 3.