

survey, is to express the names of the original tracts, and the quantity of vacancy added. By the same act the register of the land office (for the western shore) is required to furnish a like annual return to the commissioners of the tax for Alleghany county of lands, granted, disposed of, or sold, in that county under the act of 1788, ch. 44, to dispose of the reserve lands westward of Fort Cumberland, and to fulfil the engagements to the officers and soldiers of the Maryland line, so far as the same have not been already returned.

When a regular application is made for the entry of a caveat, the register makes such entry by endorsement on the certificate if there has been one returned to the office; otherwise, by a note opposite to the warrant. He enters in a small book kept for that purpose, all orders and proceedings in the case until it is adjudged and settled, and furnishes copies of those orders when demanded.

It remains to speak of the duties of surveyors, meaning those of a general and permanent nature, and chiefly such as are prescribed by law, although the instructions of the governor and council must be incidentally noticed. In this preparatory view, moreover, of the duties of officers, I have proposed to mention only those duties about which no question as to construction, and no doubt on the score of practicability can arise. The surveyors are, as well as the other officers of the land establishment, noticed by the constitution, and except that they do not hold their offices during good behaviour, come under the same articles in regard to appointment and qualification as the registers: but the number of them is not therein prescribed, nor is there any particular direction by law on that head. In the appointment of a surveyor for each county the executive has pursued the general system of the former government, and the act of 1781, opening the land office, by its directions concerning the execution of warrants, has recognized and established that plan of appointment. The act of 1779, ch. 25, "for the regulation of officers fees" is the first however, that contains any particular direction respecting the surveyors:—By the 12th section of this act it is provided that where any surveyor returns an erroneous certificate for examination, the party for whom the survey is made shall not be burthened with any fees whatever on such erroneous certificate, but that the examiner for his trouble in ascertaining it to be erroneous, shall receive from the surveyor who returned it one third of the usual examination fee. On this it is proper to remark, for fear of misconstruction, that the full fees both for surveying and examining are undoubtedly to be paid by the party when a correct certificate is at length returned.