

made and certificates to be returned : to order witnesses to be summoned by the register of the land office of the western shore, and to enforce obedience to such summons by attachment. In case of dispute between a purchaser and another person, if the chancellor should be of opinion that the former could derive from the state a title to a part only of the land purchased, and that the other party had also a right to part thereof, he was authorised to enquire by means of a commission to five competent and disinterested persons, what damage the purchaser would sustain by the loss of such part of his purchase, which damage they were to certify to the chancellor, who thereupon might proceed to adjudge and determine the damage so sustained, and cause a certificate of such his determination to be made by the register in chancery, which certificate being produced to the treasurer was to be that officer's authority and direction to enter the amount of such damage to the credit of the bond passed for the property, or if the purchase money had been paid, to refund the amount aforesaid (in money or in *certificates* according as the payment had been made) and, if no bond had yet been given, the damage so certified was to be deducted, in taking the same, from the sum agreed to be paid for the land : In all the cases aforesaid, the chancellor had power to award costs in his discretion, and to enforce obedience to his orders on that head by attachment and commitment in case of non-payment.

An act of 1786 ch. 44, after setting forth a variety of inconvenient and perplexing circumstances arising from the manner in which confiscated property had been sold, and in particular from the selling of land by the acre where the quantity was not ascertained, and taking bonds on a calculation of the greatest supposed quantity, directed that the late commissioners and the late intendant of the revenue should, without delay, cause the lands by them respectively sold, (so far as the amount of the purchase money depended, by the contract, eventually, on the quantity of land,) to be accurately surveyed, and certificates thereof returned, with general illustrative plots, shewing the interference of the lands sold with each other, or with other adjacent and older tracts, and noting any thing which might affect the title or interest of the purchasers ; and where it appeared that the said purchasers were entitled in justice to any discounts or allowance, to certify the same with the reasons for their opinion to the chancellor, who was authorised to pass his order thereon, or to enquire and proceed as if he was originally possessed of the matter by petition, and to make such allowance as he might judge proper, as also to pass such orders as equity might require where it appeared that a purchaser had an equitable title under