

to be taken by other (meaning proclamation) warrants, but does not say that it shall be so liable for want of being patented.

The provisions saving, in the cases of indulgence therein specified, the rights already acquired under proclamation warrants, have been mentioned under other heads. I shall therefore not notice them in this place, but shall pass to the act of 1795, which, among various regulations concerning the land office, prescribes new and express rules respecting warrants of this kind, and from which they now take in some sense their origin, and in part their form. This act after suspending the issue of proclamation warrants by directing that no certificate of survey or resurvey shall be liable thereto before the first day of June then ensuing, ordains as follows :

“ That in case any certificate of survey or resurvey, already made or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, such survey or resurvey shall be liable to be affected by a proclamation warrant by any person who shall apply for the same ; but no proclamation warrant shall thereafter issue on any survey made or hereafter to be made in this state unless one tenth part of the land contained in the said survey is compounded upon, and paid to the treasurer of the western or eastern shore, as the case may be, before such warrant shall issue ; provided that the person claiming the said survey or resurvey shall have one day after the said first day of June, or after the expiration of the warrant of such survey or resurvey made, or hereafter to be made, as aforesaid, for a proclamation, to pay and compound on the same ; and no application shall be received by the register of the land office, for the western or eastern shore respectively, until after such day of preemption shall have expired ; provided that nothing herein contained shall be taken or deemed to affect the right of any person who hath already applied for any proclamation warrant, if such person shall take out the said warrant on or before the first day of April next.”

The foregoing provisions effect some material differences between the former and the present circumstances attached to those warrants, first by requiring one tenth of the composition to be paid on taking them out, whereas, before, nothing was paid until the return of the certificate ; and next, in allowing an exclusive privilege, for one day, to the owners to proclaim their own certificates ; and this last provision is the more remarkable as, under the proprietary government, no person could obtain a proclamation warrant without declaring on oath