

reference to the nature of his powers, and sometimes spoke doubtfully, or by way of hypothesis, concerning them. I do not pretend to decide where the chancellor doubted ; but, as an officer concerned in the land office establishment I have endeavored to form correct opinions on every thing relating to it, and in this attempt to inform the public, I must state my impressions explicitly, or I should do nothing.

Of the provisions conferring particular powers on the chancellor some have been already noticed, and those which regard the judge of the Eastern shore land office have also been spoken of in preceding chapters. But there remain several important provisions which require to be here mentioned.

In the act of 1784, ch. 75, which authorised the issuing of grants of land westward of Fort Cumberland under warrants obtained between the twenty-second of March and the sixth of October 1774, great care was taken that those grants should be issued to no persons who were not bona fide citizens of the United States at the passage of the act opening the land office, or who had not then paid the caution money for the lands, and also for annulling grants which had been or should be obtained by persons not citizens, &c. to effect which objects, after a declaration that the last mentioned grants should be void, it was provided as follows, viz. “ and “ the chancellor may offer to the person applying for a grant “ to be examined upon oath or interrogatories touching the “ matters aforesaid, and to examine witnesses respecting the “ same, in order that it may be discovered, in a summary manner, whether the certificate was at the time of passing the “ above recited act, *bona fide* the property of a citizen of this “ or some of the United States, and the consideration was “ paid as aforesaid : and if the party shall refuse to be examined upon oath or interrogatories, and to have the matter “ enquired into in a summary manner, then the chancellor “ may note the same, and give information thereof to the attorney general, who shall file a bill in chancery against such “ person for the discovery of the truth of the facts by the “ regular course of the proceeding in the chancery court ; “ and if it shall appear to the chancellor, either upon examination in a summary way aforesaid, or upon a bill being “ filed as aforesaid, that the certificate upon which patent “ shall be applied for was not *bona fide* the property of some “ citizen of this or some of the United States at the time of “ passing the above recited act, or that the consideration was “ not paid as aforesaid, in every such case the chancellor shall “ not order grant to be issued on such certificates, but declare “ the same void and of none effect ; and the register of the “ land office shall endorse the chancellor’s determination on “ the certificate, and shall make a note thereof in the margin