

is not sufficient, without other proof of descent &c. to prevent a patent under an escheat warrant.

The foregoing principles in regard to evidence, it will be perceived, are extracted or gathered from the adjudications which follow. They are not intended to embrace all the questions that may arise upon this subject, and I might indeed have permitted those authorities to speak for themselves, without forestalling them by this partial account; but I have thought it would not be without use to collect together the most important of the maxims and declarations of the chancellor on this head. It remains to account for the selection that has been made of cases adjudged in the land office, and the manner in which they are presented. As to the selection, it will be seen that I begin with the decisions of the late chancellor. The reasons for this are that his predecessor, whose decisions and opinions, it is needless to say, must be equal in weight and value to those of any other judge known in the annals of Maryland, was not accustomed to go into any great detail of reasoning in deciding on disputes in the land office; so that his decrees were not, as I found those of chancellor Hanson, collected together in a separate file, (for those papers are not recorded) but remained, severally, with the illustrative plates, depositions, &c. belonging to the particular cases. In short, I have seen, and I believe there exist, very few decrees of chancellor Rogers which state at large the circumstances and merits of the cases, and the particular principles on which they are decided; nor is there any positive necessity for lengthy reasonings on such occasions, as the principles of the decision are generally disclosed to the parties and their counsel on the trial or examination, and no appeal being given, the decree may never again come into view, and may perhaps never be read even by the parties concerned. But this is a matter altogether in the discretion of the judge of the office, and each judge acts in it as his particular disposition leads him. The late chancellor, it will be seen, has been exact and copious in stating the grounds of his decisions, and as he frequently refers to those of his predecessor, and appears to agree with him on all points of importance, his decrees may be deemed to shew the antecedent practice, as well as that of his own time; and as they embrace perhaps the whole circle of the practice, either directly or by deduction from the principles which they disclose, I have found them, with those of still later date, some of which will also appear, sufficient for my purpose, without going back to the few that might be found of the former chancellor, who, though highly correct, was not copious in his adjudications, and would be wronged by so imperfect a selection as I could at present make of them. I cannot finish these remarks without ac-