

years ago, it is plain, that every other line must have varied just as much.

For instance, the 1st line of Black acre, patented 40 years ago, is due north 100 ps ; there is evidence that at the original running, the line ended at a certain spot. It is now run, and by going to that spot, it turns out to be N 2 ds. W. Is it not plain, that the 2d line which was W must be W 2 ds. S? &c. &c. &c.

In the present case the defendant has taken up all his 3 vacancies on arbitrary allowances for variations, in one instance of 3 in another of 2 degrees &c. &c. Commissioners indeed are stated to have made some of these allowances ; but it does not appear, that their work is established.

Another consideration which the chancellor thinks entitled to weight is this ; the vacancies returned are so inconsiderable, so narrow, and of such questionable shape, and lying between patented tracts which evidently must have been intended to touch each other, that every disinterested man, on viewing *them*, and the said old tracts as delineated, would exclaim " it is impossible that when the said tracts were taken up those vacancies could exist."

It is a maxim, that "*de minimis non curat lex.*" i. e. the law pays no regard to the least things, or things of no moment. One meaning of this maxim is, certainly, that judges ought not to encourage controversies concerning things of no more value than just to afford a party a ground for a law suit. From allowing the defendant to take a patent the result would be this : He might institute an ejectment against the caveator, or the latter might sue the defendant.

The amount of the 3 distinct vacancies is only 10 $\frac{1}{2}$ ths acres ! The party entitled must either give up his right or expend more than its value. What must the loser expend ? But the consideration, alone, of the defendant's returning those vacancies on an arbitrary, unfounded, variation of the elder tracts, and the first beginning at the end of a line laid down according to that variation, and of the other two vacancies beginning at ends or parts of lines adopted by commissioners, whose works do not appear to be conclusive ; this alone might be deemed sufficient. But when all the considerations are combined, the chancellor cannot, without betraying his sacred trust, do otherwise than rule the caveat good : And by ruling the caveat good he conceives that he does not violate the principles of any decision made by himself or his predecessor, or by the old judges of the land office. He conceives, too, that his decision will be deemed to have a powerful tendency to quiet possessions, and prevent law suits ; and that