

there cannot be more than one class, order, or set of men, by whom it will be disapproved.

It is thereupon adjudged, ordered and decreed, that the caveat of John Moale against James Croxall's certificate of the tract or three tracts of land called "Retaliation" be, and it is hereby, declared to be good—But no costs are allowed.

*The remaining Decrees are by the present Chancellor.*

NEHEMIAH HALL  
 a  
 The representatives of } *Land-office.*  
 MICHAEL PUE deceas'd } *Caveat; 2nd April 1806.*

In this case an order had passed for subpoenas, returnable to this day, dated the 27th of November 1805. The caveat was entered on the 18th of the same month.

The caveator appeared, and produced an affidavit, proving the service of the subpoenas on the persons named in the aforesaid order, by delivery;—and, the loss of the copies which he had retained;—and, also, the declaration of those persons that they would not attend.—The caveator produced the said affidavit also to prove that he served the said persons with notice from the surveyor of Baltimore county of the day he should attend to make the survey, agreeably to the order from the land office; which notice is thereto annexed.

By the plat returned, and by the patents produced, it appears that the vacancy returned by the certificate of Doctor Pue (49 acres) which is the subject of the present caveat, is included in the land patented to the caveator, which, by the established rules of the office, it is believed, is sufficient, on caveat, to prevent a patent issuing, while another for the same land remain unvacated.—The rights of the parties might have been tried on caveats to the certificates on which the patents of Nehemiah Hall have been obtained—the caveat is therefore ruled good, as to the said 49 acres, to include which it is understood the patent was desired:—The parties respectively to pay their own costs.

W. KILTY, Chan'r.

THOMAS RICHARDSON }  
 a } *Land-office, June 7th, 1806.*  
 CHARLES RANDALL. }

The hearing of the caveat in this case having been continued to this day on the application of the caveator, the parties attended, and the proceedings in the case, the evidence