

A person discovering, or believing, land to be escheat to the state by the death of its owner, (who must always in such case have been seized in fee) intestate, and without leaving heirs, as heretofore described, or as regulated by the law of descents, applies at once to the office; and, upon his mere suggestion and application, a warrant is issued, with such specifications, as to the cause of escheat, and the name, situation, and quantity, of the land, as the party is enabled, or chuses, to direct; in which it is obviously his concern to be as correct and as particular as he can especially in regard to the description of the land. The two warrants last mentioned have all the privileges of warrants of resurvey, in respect to the correction of errors in the surveys upon which they operate, and the including of contiguous vacancy. Previous to taking out any warrant of a special nature, (that is, all but common warrants) the party has, by custom, a right to be informed, upon his application, (but not without) whether any other person has taken a warrant to affect the land which he has in view. In every case of a regular application for a warrant a short entry is first made by the register in his titling book, and the warrant is issued in conformity with that entry, and is afterwards recorded.

The person who first makes, in the office, when (*b*) open for business, an intelligible application for a warrant, is, generally speaking, entitled to the preference, provided that he is prepared to take such warrant, to which last mentioned requisite there is however an exception in the case of proclamation warrants. A person is not prepared to take a common or special warrant until he produces a titling from the treasurer, or demands the warrant on some right equivalent to a titling, of which I shall presently speak. In the case of common warrant there can scarcely be occasion for any contest; but it is otherwise with a special warrant, which requires a location, and this location is not *received* by the register until he sees the authority, or right, by which the warrant is claimed: consequently, a person applying in the land office for a special warrant, without being provided with such authority or right, might be forestalled by another who should make a later application and produce his titling &c. In regard to proclamation warrants, an application in the land office is good without a titling, being necessarily the thing first in order, since the titling is not granted by the treasurer until the register has

(*b*) The Western shore land office is open, or accessible, upon application, at all hours of the *day*. Where there has been reason to expect a contention, the hour of six in the morning has been given in direction by the present register to his clerk, for opening the office, and care taken to make it known. This therefore is now the customary hour in seasons admitting of it, and at other times of the year something later. Visits *absolutely unreasonable* such as have occurred, and given rise to discussions, under the former government, are not made to the land office at the instance of any person whatever.