grounded upon a title obtained after the warrant was taken out, has on caveat not been admitted. As to the circumstances which may, on hearing, be adjudged sufficient to prevent the issuing of a grant, it will not be expected that I should particularize them. The most prominent obstacles to the obtaining of grants may be seen in the adjudications that have been exhibited. Some of them are of a positive and obligatory nature, as, where land, returned in a certificate, was formerly within the lines of an original tract, and has been excluded by the variation of the compass; in which case the law positively directs that no patent shall issue for such land, except to the party claiming under the original grant: or, where the length of a line in a certificate shall not reach the boundary for which it calls, and the line shall not have been actually run; in which instance it is also directed that the survey is, in a certain degree, to be adjudged void. But, in the first case, which is the most common of all grounds of caveat, it has been seen that the matter depends upon the judge's being absolutely convinced of the fact, by proof of the original runnings, without resting merely on the alledged effect of variation: In short, every case depends so much on its particular circumstances, and the discretion of the judge is so extensive, under the general rule of equity, that it would be unsafe for a person writing under no express sanction from existing judges to describe cases in which caveats must absolutely prevail. In this article therefore, as in others, I think it best to confine myself to the general design of this compilation, which is to shew what *has been done* in the land office, from which the reader may infer what would be done in similar cases; for, as the practice rests in so great a degree upon usage, the authority of *precedent* is no where more respected than in the land office. Referring therefore all that relates to valid grounds of caveat to the decisions heretofore inserted, I pass to what concerns the issuing of patents.

When a certificate is examined and passed, returned to the office, compounded on, and has lain six months after composition without being caveated, or is released, by adjudication or by the operation of law, from the effect of a caveat, it is ready for patents, and according to the theory of the system, and indeed the direction of the law, a patent is to be made out by the register, and presented to the chancellor, or the judge of the land office, for his approbation; upon which, and upon its being signed by the governor, it is to be passed under the great seal, and recorded. In regard to the Eastern shore, the law, by particular provisions, requires that the approbation of the judge shall be *certified*, (which is accordingly done by endorsement;) that the register shall, at his own expence, transmit the patent to the chancellor, for his attesta-