

side of the Court of Chancery of Maryland, and was evidently considered as corresponding, in almost all respects, to the *Petty Bag*, or enrollment office of the English Court of Chancery. For, in all the proceedings in chancery, in relation to the repeal of letters patent for land by *scire facias*, and to the business and records of the Land Office, the court is always specially designated as "*The Chancery Court of Records*,"(j) for the express purpose, as it appears, of distinguishing its common law jurisdiction, in relation to patent grants for lands, in which respect it was, by analogy to the English system, deemed a court of record, from its jurisdiction as a mere court of equity, in which capacity, according to the English law, it was not a court of record.(k) The expression, "the Chancery Court of Records," answered very well at the time, and may still serve, with a recollection of the English law to which it refers, as a sufficiently apt and clear designation of the distinction between the two sides of the Court of Chancery, between the two capacities of common law and equity in which it acts; but at present, the Court of Chancery of Maryland must be considered as in all respects a court of record; since all its proceedings, as well in equity as at common law, are recorded; and it has all the powers incident to the jurisdiction of such courts of record.

The lord proprietary's lands always yielded him a very large proportion, and sometimes the only revenue he derived from his Province; and therefore here, as in England, the mode of obtaining titles to lands seems to have been regulated, as well with a view to the safe collection of this branch of the revenue, as to the assuring of justice and fairness to the contracting parties. Before the establishment of the Land Office, here, as in England, the applicant for a patent commenced by obtaining a warrant from the sovereign, under his seal at arms, or *the Lesser Seal of the Province*;(l) by which, on the purchase money being paid to the treasurer,(m) the surveyor was authorized to lay out the land as required;(n) and upon a certificate of the survey being returned to the Chancery Office, the secretary, who was then the recording officer of the Court of Chancery,(o) if he approved of the proceedings, made out the patent grant,(p) which was to be finally passed upon and authenticated by the Chancellor.(q)

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(j) Land Ho. Ass. 114, 122, 178, 181.—(k) Com. Dig. tit. Chancery C. 1 & 2; 2 Mad. Chan. 712.—(l) Land Ho. Ass. 43, 65, 76, 93.—(m) Land Ho. Ass. 54, 56, 62, 128.—(n) Land Ho. Ass. 75.—(o) Land Ho. Ass. 43, 65.—(p) Land Ho. Ass. 41, 66, 82.—(q) Land Ho. Ass. 126.