

Spring and the Panther Pen.” In no one of these descriptions is any course, distance, or line distinctly named; yet it is perfectly manifest, that each one specifies a space, or area of land, so very accurately, that it cannot be mistaken, and in a manner that cannot be made to suit any other land.

After what has been said, the description given in *Browning's* special warrant can scarcely require a single remark. It is deficient in every particular, and in fact amounts to nothing. It does not describe any space, area, or tract of land whatever. It does no more than designate points or spots; but whether by so doing it is meant to indicate the place where the outlines of a tract are to begin; or whether the quantity called for is to be laid off round them as the centre; or in what direction from them, is not said. But it will be difficult to conceive of a description which has more entirely excluded every idea of space, area, or tract, than that contained in this special warrant of *Browning*. For every purpose of giving title to any tract of land, it is a mere nullity. But allow to it every thing to which it can pretend; let it be considered as no more than a description of the place of beginning; and then, even to that extent, it can now be of no avail to the party; since it appears by the certificate of survey, that the boundaries have not been commenced at the place thus specified; and the survey not having pursued the description given, it is in itself a total abandonment of every special pretension under the warrant.(i) As to the nature and sufficiency of the description of the place of beginning, which *Cunningham* caused to be noted down on the surveyor's book, nothing need be said, as he has not relied upon it for any purpose. It appears from the plot returned, that *Browning's Hunting Ground* runs entirely across *Cheviot Dale*. *Browning* may, therefore, have his certificate so amended as to comprehend either parcel of land within the lines of his present certificate, which is not covered by *Cheviot Dale*.(j)

Whereupon it is adjudged, that the *caveat* of *James Cunningham* be and the same is hereby ruled good as to the whole extent of *Browning's Hunting Ground* comprehended within the lines of the tract called *Cheviot Dale*. And it is further adjudged, that *Meshak Browning* have leave so to amend his certificate as to exclude all the land lying within the tract called *Cheviot Dale*; and that the said *Browning* pay all costs.

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(i) Land Ho. Ass. 472, 490.—(j) *Garrettson v. Cole*, 1 H. & J. 374.