

ART. 91.] SURVEYOR—CERTIFICATES—VACANT LAND. 1303

veyor, he shall die, the said deputy may, within six months after such death, make out and sign a plot and special certificate stating the circumstances of the case, with an affidavit of the truth thereof annexed or endorsed, and the said certificate shall be as good and effectual as if made out and signed by the said surveyor; and if any amendment or correction of the said plot or certificate shall be necessary, the amendment or correction shall be made by the said deputy, or such other person as the commissioner of the land office shall think proper.

P. G. L., (1860,) art. 92, sec. 13. 1795, ch. 88, sec. 6.

**13.** If any certificate shall be made out by any surveyor authorized to make the same under a warrant of survey or resurvey, and the same shall be duly returned, and an order of the commissioner of the land office shall be made for correcting the same, and the surveyor shall resign his office without making out a corrected certificate or correcting the original, the commissioner of the land office, on the application of the party, may in his discretion order the correction to be made by the said surveyor; and the corrected certificate made out by him shall be as good and effectual as if he had not resigned, and he shall be entitled to such fees therefor as the commissioner of the land office shall under all circumstances deem reasonable, not exceeding the fees allowed to surveyors.

Ibid. sec. 14. 1789, ch 85, sec. 2. 1792, ch. 15, sec. 2.

**14.** No surveyor or deputy surveyor shall take up any vacant land unless it be land adjoining lands to which he is *bona fide* entitled.

Ibid. sec. 15. 1792, ch 15, sec. 4.

**15.** All warrants taken out for the purpose of taking up land under the preceding section shall be directed to the county surveyor of any adjoining county, who, before he executes the same, shall take the following oath, to be endorsed on the warrant, to wit: "I, A. B., do swear that I will well and truly execute this warrant to the best of my skill and judgment, without favor, affection or partiality."

Ibid. sec. 16. 1787, ch. 9, sec. 4.

**16.** If in any cause, plots made under the order of the court are not returned from the neglect of the surveyor, the court may