

real nature and importance—the extension and improvement of one's land. Though there were theoretical restrictions, the resurvey warrant was permitted to serve a variety of advantageous purposes such as the excluding of bad and taking in of better lands, obtaining allowance for actual deficiency, for water comprehended in the first survey or ground subsequently washed away, etc.³⁷

Escheat warrants also present an enormous figure on the records, partly no doubt, for the same reason as the resurvey warrants. The practice of escheat—whereby land escheated or reverted to the Lord Proprietor—was an inheritance from the feudal system of land tenure. In practice a man might present a petition to the land authorities stating that his neighbor had died without heirs and requesting a decision as to whether the land was liable to escheat or not. If the decision of the investigating jury confirmed the escheatability of the land, the petitioner then applied for an escheat warrant and was usually given preference over others as the “discoverer”, in obtaining the warrant. (Since escheats were not easily traceable by the land officers, it was the policy to give some premium to discoverers).³⁸ This sort of warrant brought with it the same privileges already mentioned in connection with resurvey warrants. The type did not occur frequently before the last quarter of the 17th century but increased greatly after that and continued to be issued down to the Revolution. In the latter part of the proprietary period, however, proclamation warrants came to supersede escheat warrants to a considerable extent especially in cases of land reverting for reasons other than lack of heirs. The warrants in question are founded upon three successive proclamations of Charles, Lord Baltimore, whereby persons who had made surveys comprehending vacant or escheat land, and who neglected to pay or compound therefor, and to take out their patents within a limited time, were subjected to the loss of all the rights derived from such surveys; the lands becoming by means of such omission liable to be taken by the first discoverer, under new warrants to be obtained for that purpose.³⁹

Surplus warrants are unique in that they were issued for a very short period only—between 1735 and 1738. They represent an attempt on the part of the Lord Proprietor to recover some of the excess of land included with the bounds of surveys beyond the

³⁷ *Ibid.*, p. 134-5.

³⁸ *Ibid.*, p. 174.

³⁹ *Ibid.*, p. 186-7.