

was propounded by governor Copley to the council, by what authority the board had usually granted warrants for resurvey of lands: to which some of the members answered that there was a law, *they believed*, relating to that matter; but though upon this information an order was passed "that the said law be produced and inspected," I have examined in vain the subsequent proceedings of the council for the production of such a law, and I believe that the resurveying of lands already held by grant, or under certificate, had its origin in Maryland merely in the reason and utility of the thing, supported perhaps by precedents from the older colony of Virginia. It was a proceeding which naturally arose from the incorrectness of original surveys and the desire of individuals to ascertain with precision the quantities and bounds of their land; besides which it presented a variety of conveniences and advantages too obvious to be overlooked by a people engaged with the utmost eagerness, in extending and improving their landed possessions. The first peculiarity that occurs relative to warrants of resurvey is that they were not generally granted as matter of right, but were during the entire period of the proprietary government preceded by petitions, stating the reason or object of the application. The most common grounds assigned were the uncertainty of existing bounds, and the desire of the parties to connect several adjoining tracts in one survey; for, from the commencement to the present time, it has been essential that the lands included in a resurvey should be contiguous to each other. The privilege of taking in adjoining vacancy, over and above the quantities originally granted, which is now a main object of resurveys, did not for many years attach to this kind of warrant, which was in fact considered a matter of special favour, and in some cases refused when applied for. The general ground of refusal was the effect alledged or supposed of the intended resurvey upon the interest of other persons, and particularly of minors: but the interest of the (b) proprietary was also attended to on these occasions, and although the warrants were not often refused, the benefit aimed at of adding surplus or vacant land to the original tracts, was in many instances kept in reserve, to be accorded or not as the proprietary or his council might think proper when the quantity and value of such land was known by the return of the certificates. Nevertheless the warrant of resurvey was permitted to be used to many advantageous purposes. Among these was the excluding of

(b) The government did not encourage resurveys in the neighbourhood of the manors and reserves, round the former of which they frequently laid, as has been seen, additional reserves or interdictions of some miles in extent, for fear of having their real bounds encroached upon.