

and that any caution money which may have been paid for reserved land so included shall, by order of the governor and council, or the treasurer of the shore where the payment may have been made, be repaid out of the first money which shall come into the treasury.

The 8th section, for the purpose of disposing of *caveats* already instituted, directs that they shall continue in force six months from the first of July then ensuing, after which, if they are not prosecuted, or subpoena taken out to bring them to a full hearing, patents may issue; and the register of the western shore land office is required to make out a list of all certificates under caveat, with the name of the owner, that of the land, and by whom and when caveated; which list is to be transmitted to the clerk of each county, and by him put up at the door of the court house for the information of all concerned. These regulations are noticed here because the proceeding by caveat is common to all kinds of certificates, and is therefore of a general nature, but they were in fact but temporary provisions, and no publication or return is at this time made of certificates lying under caveat.

The 9th section establishes a rule which is still in force, viz. that where special or common warrants remain unexecuted, warrants may be granted in lieu thereof, or they may be applied towards the composition on any certificate: this section further says that nothing therein shall be taken or construed to oblige the owner or possessor to pay for surplus land, or to weaken the title of such owner, or to give any person, except the owner under the grant theretofore issued, a right to take up or obtain a grant for any such surplus. The connection between this and the former part of the section I cannot pretend to point out, but, as general regulations, it is proper to notice them in the order in which they appear.

The 11th section of this act regulates the method of summoning parties and witnesses, in trials on caveat, enforcing their attendance, &c. which, as it must be noticed in another place, I shall not at present dwell upon.

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By the act of 1785, ch. 66, sect. 8th, it is provided in conformity with the agreement between the proprietaries of Maryland and Pennsylvania, that persons holding, under Pennsylvania grants, lands which had, on settling the divisional line, fallen within the limits of Maryland, but which, previous thereto, had been considered as lying within the other state, and subject to its jurisdiction, shall be at liberty to take out patents from the land office of this state, which the register of the said office for the western shore is authorised and directed to make out and grant, upon the application of such land holders, and upon their producing their Pennsylvania pa-