

“ the question by him decided ; and the said judge shall there-  
“ upon proceed in such case to a new trial thereof, and shall,  
“ in his discretion, award costs incurred as well on the appeal  
“ aforesaid as in the land office.”

The 7th section directed the eastern shore register to transmit, annually to the commissioners of the tax for the several counties of that shore a list of all grants of patents issued out of his office ; but concerning this provision, and a subsequent one contained in the act of 1797, ch. 89, requiring returns to be also made, to the commissioners, of certificates becoming ready for patent, it is not necessary to be particular, as what concerns returns to the commissioners to the tax has been finally regulated, in respect to both shores, by the act of 1803, ch. 92, already noticed.

By the 8th section it was directed that, in order to preserve an uniformity of practice in the affairs of the land offices of the western and eastern shores, the governor and council should cause to be transmitted to the register and examiner for the eastern shore all rules and orders which were then, or might thereafter be, made and established for the direction and government of the said officers, and of the surveyors, which said rules and orders were to be recorded by the said respective officers, and be subject to the inspection of any person who might reasonably require the same.

The 9th section gave to the register and examiner the same fees as were allowed to those officers on the western shore ; further regulations have taken place on this subject by later acts which will receive in another place such notice as they may require. The 10th section declared that the several acts of assembly then in force for the government of land affairs, and of the respective officers concerned therein on the western shore, should be in force for the same purposes on the eastern shore, so far as they were not virtually altered by that act.

The 11th section authorises the issuing of common or special warrants from the land office on the eastern shore for deficiency in grants, and also in the case of caution money paid and the grant or certificate vacated, as before regulated by the act of 1781 : but with a proviso that no warrant shall issue for such deficiency upon any grant issued or certificate made before the first of March then following, until the register of the western shore shall have certified that no warrant has been before issued for such deficiency or any part thereof, nor any satisfaction made for the same, (b) as far as appears by the records of his said office.

(b) the design of this provision was a very proper one, but it does not answer the purpose, the certificate required being such, as in some cases no investigation would enable the western shore register to give, without sheltering himself very much under the concluding part of the clause.