

After a certificate was returned to the land office, it was formerly, as now, necessary that it should remain there six months to afford an opportunity to any one concerned to enter a caveat against the emanation of a patent. *Land Ho. Ass.* 278, 492; April, 1782, ch. 38, s. 2. But apart from, and in addition to the regular proceeding by caveat before the Chancellor, which it appears always might have been instituted, as at present, in any case where there was a proper ground for it, there were a variety of other causes of applications for relief, where nothing like a judicial controversy had been, or perhaps could be instituted or brought before a Court of justice in any form whatever. If, after the lapse of the limited period no caveat is entered, and the register finds the certificate, and all other proceedings to be correct, he prepares a patent which is signed, sealed and issued as of course. *Land Ho. Ass.* 492. If the certificate, after having been returned to the office, has been assigned; or the holder of it has died, it is not necessary, as in England, to renew the whole proceedings; but it is sufficient to state the facts to the Judge of the land office in a petition, accompanied by suitable vouchers, such as the written assignment itself, the will of the deceased, an affidavit of some disinterested person stating who were his heirs or devisees, &c., upon which a patent is ordered to be issued to the assignee, devisee, or heir; or, in doubtful cases, to one to hold according to his interest, to the uses of a will or the like. If the certificate or other proceedings are obviously erroneous in some immaterial particular, it may be corrected, on a petition setting forth the errors. *Land Ho. Ass.* 323, 434, 493, 494; *Lloyd v. Tilghman*, 1 *H. & McH.* 86; *Lord Proprietary*, 1 *H. & McH.* 135; *Joice v. Harris*, 1 *H. & McH.* 196; *Hall v. Gittings*, 2 *H. & J.* 112.

As to these and all such anomalous cases, which were much more common before the Revolution than at present, the application was made to the Lord Proprietary in person, *Land Records*, lib. C. B. 143, &c., or to his council for lands, or to his Judge of the land office; and it was considered not as the commencement of a judicial proceeding of any kind, but as "suing for acts of grace and favor." As to all which matters the Judges of the land office were in fact, but executive officers charged with the special direction, in peculiar and anomalous cases, of an establishment of great importance to the Lord * Proprietary. The power to grant

315 acts of grace and favor, which, under the Proprietary Government, had been thus confided first to a council for lands, and then to Judges of the land office, was, after the Revolution, recognized as having devolved upon the Chancellor; and it has accordingly been always so exercised by him; but, it is merely a power to revise certain proceedings in respect to the sale of public lands, and to correct immaterial errors in cases, which involved none of that judicial power proper and necessary for the management and