

laws of the state ;—and not, as heretofore, a mysterious, (half public, half private,) institution, the immediate and peculiar establishment of a paramount ruler, and frequently in collision with, if not eclipsing the regular departments of government. The operations of the office at present are directed or sanctioned by positive laws : it was recognized as a necessary branch of the state polity in forming the new constitution, the 5th article of which declared that there should be two registers of the land office, one for each shore, who should have charge of the short extracts of certificates and grants of lands on their respective shores, to be prepared at the public expence, in such manner as the legislature should thereafter direct. This provision, however, went no further than to secure to the people of Maryland the means of recurrence to the evidences of titles in respect to lands already granted, and contained nothing in relation to the acquirement of lands still remaining vacant or ungranted, to which the state did not, by that instrument, expressly assert any right. The intention of this article is not extremely clear, further than that a land office, or general depository of land records, was viewed as an establishment evidently and permanently necessary, and that, among other stipulations in favour of that section of the state which was liable to particular inconveniences from its geographical position, it was thought expedient to assign a distinct office to the Eastern Shore. The further objects of the establishment were not then touched upon, because the succession of the state to the right of soil, which had belonged absolutely to the proprietary, and which in former political changes had not been taken away with the right or power of government, was not, as I have said, expressly affirmed, either in the general act of separation from the crown and people of Great Britain, or in that which erected the new and independent government of Maryland. The first provisions which pointed to the assumption and exercise of this right were contained in an act of assembly, chapter 15, passed the 20th of April, 1777, at the first session under the state constitution, “to open the courts of justice” &c. by the 8th section of which it was ordained, among other things, in order, as the act stated, that individuals might not suffer by the change of government, that all *land warrants* granted and issuing out of the land office before the appointment and qualification of the new registers, should continue “and be in force for the same time,” and should be executed by the new officers “in the same manner,” as if the former government had continued ; and that all officers who might have in their possession any such land warrants, or any record books, or papers, should deliver them to the proper officers immediately after their qualifica-