

thereof, which he shall also pay over to the said Upton Scott, or his order, and the owner may compel payment of such fees from the surveyor who returned such erroneous certificate, or if dead from his executor or administrator.

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XXXVIII.

V. **AND**, Whereas there may be certificates in the land-office which include land lying within some one of the reserves made by the late proprietaries, **Be it enacted**, That no grant shall issue on such certificate, but the same shall be corrected so as to exclude any land lying within any reserve.

Certificates to be corrected, &c.

VI. **AND**, Whereas divers persons may, by mistake or misapprehension of the late act for the opening the land-office, conceive that they have a right to take up lands, heretofore reserved for the use of the late lord proprietary, as common vacancy, **Be it enacted**, That the governor and council shall (and they are hereby requested as soon as conveniently can be done) give instructions to all the surveyors in the several counties of this state, not to run the lines of any common warrant, special warrant, or warrant of resurvey, issued, or hereafter to issue, out of the land-office, for common vacancy, into the manors or lands heretofore reserved for the use of the late lord proprietary, lying adjacent to such manors, or which may have been otherwise reserved for the use of said proprietary, or which may have been heretofore set apart for the use of the Nanticoke Indians; and it is hereby declared, that the said reserves shall be appropriated to such uses and purposes as the general assembly shall hereafter direct and appoint.

Governor and council to instruct surveyors, &c.

VII. **AND** be it enacted, That any caution money which may have been paid into the treasury for such reserves shall, on application to the governor and council, be immediately repaid to the person applying for and who hath paid in the same, and an order shall be given to such party on the treasurer of the shore where the payment may have been made, to return such caution money, or repay the same out of the first money that may come into the treasury.

Caution money to be repaid, &c.

VIII. **AND**, Whereas many certificates lie in the office caveated, **Be it enacted**, That every such certificate shall remain for six months after the first day of July next, after which time, if caveat be not prosecuted or subpoena taken out to bring the same to a full hearing, patent may issue; and, for the information of all concerned, the register of the land-office for the western shore shall make out a list of all certificates, the name of the person, the name of the land, and in what county, and by whom caveated, and the time when, and shall transmit such list in the nature of a public letter, directed to the clerk of each county within this state, who shall give public notice of the receipt thereof, by advertisement set up at the door of the court-house of said county, or at the door of the place where the county courts have been usually held for his county.

Caveated certificates to lie 6 months, &c.

IX. **AND** be it enacted, That where any special or common warrants shall not be executed, new warrants may be granted in lieu thereof, or they may be applied towards the composition on any certificate, and shall thereupon be entitled to patent of confirmation; but nothing herein shall be taken or construed to oblige or compel the owner or possessor

Warrants not executed, new ones may be granted, &c.