

that they may, as the Lord Proprietary often did, give away the public lands, at pleasure, to their favourites, regardless of any benefit to the people. (l)

(l) Hepburn's case, ante 97; 1745, ch. 9, s. 10; 1817, ch. 225; 1822, ch. 57; 1836, ch. 63.

ROSS v. BLADEN.—The Judges of the Land Office to the Chancellor.—May it please your Excellency.—There having been a dispute in the Land Office of an uncommon and extraordinary nature, in which Thomas Bladen, Esq. and Doctor David Ross are the persons concerned, we take the liberty, in pursuance of his Lordship's instructions, by which we are directed, in difficult and unprecedented cases, to desire your Excellency's advice and assistance, (*Land Ho. Assis.* 232, 234,) to submit to your Excellency, as Chancellor, a state of the case or matter depending before us together with our opinion, hoping you will be pleased to favour us with your Excellency's sentiments thereon.

On the 16th day of January, 1761, Doctor David Ross applied to us in usual form for warrants under the proclamation to resurvey, and he allowed the pre-emption of the following tracts of land, *Wills's Town*, *Buck Lodge*, *Sugar Bottom*, *Turkey Flight*, *Prized*, *Lawrence*, and *Bigg Bottom*, containing 2,254 acres, but as no certificates for those lands appeared to be returned or lodged in the office, which is essential to the issuing of a warrant under the proclamation, Mr. Ross petitioned for, and obtained special warrants to affect the lands aforesaid, having, as your Excellency knows is usual, first paid the agent caution money for the same.

On the 16th day of May following, the undermentioned certificates were returned into the office, signed by Mr. Thomas Cressap, who was deputy surveyor of the county at the times these certificates respectively bear date, viz: *Wills's Town*, surveyed in June, 1745, *Buck Lodge*, and *Sugar Bottom*, in June, 1746, *Turkey Flight*, and *Prized*, in August, 1746, and *Lawrence* and *Bigg Bottom* in November, 1746, containing in the whole 2,254 acres; surveyed, as is set forth in the said certificates, for Thomas Bladen, Esq. As the land described in these certificates appeared to be the same tracts for which Doctor Ross had, as we have already observed, obtained special warrants, we thought it our duty to forbid patent issuing to Mr. Bladen till we could examine the records and inquire how it had happened, that those certificates had lain so long dormant. On examination we found in the land records the following entries:

'October the 21st, 1743.—Order issued to the Surveyor of Prince Georges county to lay out for his Excellency Thomas Bladen, Esq. two thousand acres of land, caution to be paid on the return of the certificates, &c.'

'2,000 acres part of a warrant for 4,012 acres granted Doctor George Stewart the 3d day of February, 1746, and by him assigned to his Excellency Thomas Bladen, Esq. is applied to make good rights to the above warrant.'

'April the 15th, 1745.—Warrant then issued to the Surveyor of Prince Georges county to lay out for his Excellency Thomas Bladen, Esq. two thousand acres of land, caution to be paid on the return of the certificates, &c.'

'April the 16th, 1745.—Warrant then issued to the Surveyor of Prince Georges county to lay out for his Excellency Thomas Bladen, Esq. three thousand acres of land, caution to be paid on the return of the certificates.'

'Rights made good to 2,012 acres part of this warrant by applying so much part of a warrant for 4,012 acres granted said Bladen the 3d of February, 1746.'

That your Excellency may be thoroughly informed, we think it necessary to lay before you a copy of the original warrants, that were issued out of the office in consequence of the foregoing entries, and to state, in a distinct manner, the several