

only be done when clearly authorized
by the testimony; and in ~~this~~ instance
the plat alone shows a short line
or call, which is not in the
patent; but neither is it in the
Certificate of the survey; and the
testimony is conflicting as to whether
the survey will not come as
near closing without the call
as with it. The patent was for
400 acres; and the testimony
shows that with the alleged
omitted line the calls will em-
brace over that quantity; while
without it there is near the
proper quantity; and it is as
reasonable to suppose that
this call was abandoned when
the survey was made but after
the plat had been made, as it
to suppose that both the certifi-
cate of the survey, and the
patent omitted the call.

As the Court below held, that
the Certificate of survey and the
patent and not the plat must
govern; and as we do not feel
authorized to disturb its judgment,