

recover the possession of the said land, or any part thereof to which the state might be entitled.

In pursuance of this act a contract was effected with the remnant of the Choptank indians, being only four individuals, who had a claim to, and continued to inhabit, those lands; of which contract, duly executed and acknowledged on the 6th day of April 1799, the following were the conditions. For two of those indians, Mary Mulberry and her son Henry Mulberry, the quantity of ten acres of cleared land was to be laid off where their houses then stood, "so as to include the same or any other house to them then belonging, and also ten acres of wood-land for the use of the same:"—for Henry Sixpence ten acres of cleared land, including his tenement, and ten acres of woodland;—and for Thomas Joshua the like quantity of cleared land was to be laid off so as to include his tenement, and ten acres of woodland as before: which lands, so laid off, were to be held, used, and occupied by the said indians so long as they and their descendants should continue to inhabit the same and to use it for their own cultivation and improvement: and the following annuities were to be paid, in quarterly payments, to the said indians respectively, and their descendants, upon the precise terms mentioned in the act, and to cease upon failure of such immediate descendants as therein described, viz. to Mary Mulberry and her son one hundred and sixty dollars, to Henry Sixpence one hundred dollars, to Thomas Joshua one hundred and sixty dollars, and to Esther Henry, a person not a party to the contract, and, it is supposed, not upon a footing with the others in point of title, thirty dollars: some of which annuities are still received by those indians, or their descendants. On these considerations the indians beforementioned conveyed to the state of Maryland "all the lands, tenements, and appurtenances" which they held and possessed "commonly known by the name of the Choptank indian lands" in Dorchester county, "agreeable to the metes and bounds of the said lands supposed to contain about four thousand acres more or less: it only remains to be observed that these lands were afterwards sold by the agent agreeably to the directions of the act. As to the lands of the Nanticoke indians, concerning which I have mentioned, upon mere casual information, that disputes are now subsisting, sales were made of those lands, prior to the act of 1785, by the intendant of the revenue, I presume under his general powers, which imbraced all the concerns of the state in money or property, but possibly under some particular authority which has escaped my research. These sales gave rise to sundry resolutions of the general assembly, releasing purchasers from their contracts, directing suit against the claimants under the proceeding of