

## III

PAPERS RELATING TO AN ACT REPEALING A FORMER ACT WHICH  
VESTED A GOOD TITLE TO LAND IN RICHARD BENNETT, AND  
THE REASONS FOR THE PROPRIETARY'S DISSSENT, OR VETO, TO  
THE REPEALING ACT

[EDITOR'S NOTE.—The printing in full here of the rather voluminous papers relating to a private act passed by the General Assembly in November, 1753, affecting the title to a tract of land, formerly owned by Richard Bennett, seems desirable for two reasons. The act in question is not only an early example of the attempted confiscation by legislative action of private property without due process of law, but is also worthy of note because the Proprietary's dissent to its becoming a law after it had been passed by the Assembly and approved by the Governor, would appear to have been due to a lucid legal opinion quoted here in full, advising its rejection, which was rendered by William Murray, one of the great legal minds of his time, who was later to become the first Earl of Mansfield.]

To The Honourable the Upper House of Assembly The  
Humble Petition of Bennett Chew a Minor under the Age  
of Twenty one years.

Sheweth

That in the year Seventeen hundred and Seventeen Moriss Burchfield Esq.<sup>r</sup> his late Majestys King George's Surveyor General of the Southern District of America and Joseph Brown Esq.<sup>r</sup> claiming On Authority from the Crown set up a Tract of Land lying and being in Cecil County called Turkey Point to Publick Sale and that Richard Bennett late of Queen Ann's County Esq.<sup>r</sup> deceased being the Highest Bidder purchased the same and some Negroes and Stock thereon for the sum of five hundred and fifty Pounds Sterling And your Petitioner further Sheweth that the said Richard Bennett finding that the said Burchfield and Brown had not any Authority in Right of the Crown to Convey a legal Title to the said Richard Bennett and his Heirs in more than One Moiety of the said Land, refused to Pay the Purchase Money to the said Burchfield and Brown and the said Burchfield and Brown in Order to induce the said Richard Bennett to Pay the same gave the said Richard Bennett the following Writing under their hands to wit "Whereas We the under named have on Behalf of the Crown Sold and Conveyed unto Richard Bennett Esq.<sup>r</sup> One thousand Acres of Land called Turkey Point lately being or Reputed to be the Estate of Peregrine Brown deceased together with some negroes Cattle & horses thereon being for the sum of five hundred and fifty Pounds Sterling so much being bid for the same at A Publick Auction: And Whereas the said Peregrine Browns Title to the said Land is

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