

parties, to inquire, upon their oaths, what damage the purchaser from this state will sustain by the loss of such part of his purchase ; and such commissioners shall, before they act, take an oath before some justice of the peace, well and truly, according to the best of their skill and knowledge, to determine what damage the purchaser aforesaid will sustain by loss of such part of his purchase, and the said commissioners shall ascertain, and under their hands certify, the damage aforesaid to the chancellor, who may, upon the certificate of any three of such commissioners, determine and adjudge the damage sustained by such purchaser by the loss of part of the purchase as aforesaid ; and the chancellor shall, upon such his determination, cause a certificate to be made by the register in chancery of the damage determined by him to be sustained by such purchaser, and upon such certificate being produced by the purchaser to the treasurer of the western shore, he shall enter the sum certified as aforesaid to the credit of the bond given or to be given by the purchaser, or by any person or persons on his behalf, for the property sold, or if bond hath not been given or may not be given before such determination, then the damage aforesaid shall be deducted from the price agreed to be paid for such land, and in case the purchaser hath paid the whole of the purchase money, and a loss and damage may be determined and ascertained as aforesaid, the treasurer shall pay to the party, upon a certificate of the register in chancery, to be given as aforesaid, money equal to such damage out of any unappropriated money in the treasury, if the payment of the purchaser was in money, or a certificate for the same of the same kind as paid, if the payment was made in certificates ; and the chancellor shall have full power and authority, in all cases by him determined in pursuance of the authority given by this act, in his discretion, to order costs to be paid, and to enforce obedience to such order by attachment and commitment in case of non-payment.

CHAPTER 67.

* 1784, ch. 75. A SUPPLEMENT to the * Act, entitled, an act to authorize the issuing grants for the lands therein mentioned.

Preamble.

WHEREAS by the last clause in the act, entitled, an act to authorize the issuing grants for the lands therein mentioned, it is enacted, that where surveys have been made to the westward of Fort Cumberland, under warrants granted between the twenty-second day of March and sixth of October, seventeen hundred and seventy-four, and the quantity expressed in the warrant has been exceeded, grants may issue on such surveys, where the quantity expressed in the warrant has not been exceeded above one-fourth, and such excess shall be paid for to the treasurer of the western shore : And whereas surveys have