

# I N D E X.

## INDIANS LANDS.

9. The like Possession is confirmed to the *Choptank Indians*, of the Tract in *Dorchester County*, upon *Choptank River*, as surveyed and returned by the Commissioners appointed to lay the same out, pursuant to the Act of 1721, *ch. 12*, (*see above*, Art. 7,) that Survey being found agreeable to the Act of 1669, *ch. 1*, by which that Land was originally granted to the said *Indians*. *Ibid.*
10. The *Choptank Indians* shall not sell, or let to Farm, any Part of the said Lands, except such Part as lies to the Eastward, Southward, and Westward, of the Lines formerly run from the Head of *Sewell's Creek*, to *William Barrington's* bounded Tree, as the exterior Bounds of the Land, pursuant to an Ordinance of the Assembly. And all the Purchases or Leases of any Part (except as before excepted) are declared void. *Ibid.* §. 3.
11. No Lease already made shall be of Force longer than 7 Years from the End of this Session. And all Sales, Gifts, Grants or Leases, made by the said *Indians* since November 1721, of any Lands on the South Side of *Sewell's Creek*, &c. and within the Lines mentioned in the foregoing Article, are declared void, as being contrary to the Ordinances of Assembly then made. *Ibid.* §. 4 and 5.
12. But Purchases *bonâ fide* made since November 1721, or hereafter to be made, of that Part of the *Choptank Indians* Lands, within the Bounds ascertained by the Commissioners, and excepted in Art. 10, are confirmed to the Purchasers, their Heirs, &c. for ever. Provided such Purchases be made when the *Indians* are sober, &c. and the Consideration paid to them before executing the Deeds of Sale; and that all such Deeds be acknowledged by them before the County Court, or before One or more Members of the Council; otherwise to be void. *Ibid.* §. 6, 7.
13. The Falling, &c. of Timber within the Bounds of *Indians* Land, whereof any other Person hath the Fee, shall be accounted a Trespass: And the Trespasser shall be liable to Action, and Damages be recovered by the Grantee, in the same Manner as if such Grantee were in actual Possession of the Land. 1704, *ch. 39*.
14. *Charles Sewell*, Esq; was satisfied for such Lands laid out for the *Choptank Indians* (and which had been appropriated for their Use by 1669, *ch. 1*, (*see above*, Art. 9,) as his Father *Nicholas Sewell* had not been paid for in his Life Time: And also enacted, that when those *Indians* shall totally desert those Lands, they shall be Sold for the Use of the Public. 1741, *ch. 12*.
15. The County Courts are impowered, upon Petition, to determine in a summary Way, all Complaints against Persons holding *Indians* Lands, and refusing to pay the Rents agreed for, and to give Judgment thereon, and award Execution with Costs. 1756, *ch. 9*, §. 2, 3.
16. On Complaint made of Waste or Trespas upon the *Indians* Lands, and the same appearing on the Oath of one sufficient Evidence, the County Court shall issue their Warrant to the Sheriff, to summon a Jury of Eighteen Freeholders, to appear on the Lands at a certain Day; who, upon Oath, shall assess the Damages, under their Hands and Seals, or the Hands and Seals of any Twelve of them that shall agree; which Inquisition shall be returned by the Sheriff, under his Hand and Seal, to the next County Court. The Sheriff shall summon and swear to the Jurors all such Witnesses as may be required: The Court shall give Judgment for the Damages mentioned in the Inquisition, unless Cause be shewn, why the said Court, &c. And the Party against whom Judgment shall be given, shall pay the Officers Fees, and 15<sup>th</sup> Tobacco to each Juror for every Day's Attendance. *Ibid.* §. 4.
17. Any Two County Justices, on Complaint of the *Indians*, may go upon their Lands, and finding the

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- Complaint to be true, may issue their Warrant to the Sheriff, to put out any Person holding the same on Pretence of Renting them from the *Indians*, and deliver peaceable Possession to the said *Indians*. And such Person shall pay 64<sup>th</sup> Tobacco to each Justice, and legal Fees to the Sheriff, &c. *Ibid.* §. 5.
18. Persons against whom Judgment is given, by virtue of this Act, may appeal to the Provincial Court, giving Security as in other Cases. But such Judgment shall not be reversed for Want of Judicial Process, &c. if it appears that the Defendant was legally summoned, &c. *Ibid.* §. 6.
- INDIAN TOWNS. See *Indians*, 10—12.
- INDIAN WAR. See *Militia*, 7.
- INDORSEMENT of Bonds. See *Specialties*, 1.
- INDORSERS of Protested Bills. See *Advancement of Justice*, 5. *Bills of Exchange*, 2.
- INDUCTION. See *Ministers*, 1.
- INFANT EXECUTORS. See *Orphans*, 5.
- INFANTS. See *Administration Bonds*, 3. *Bankrupts*, 5. *Continuance of Actions*, 3. *Limitation of Actions*, 3, 6, 7, 8. *Minors*, per Tot. *Specialties*, 2.
- INFORMER. See *Fines and Forfeitures*.

## INGROSSERS.

1. Any Person who shall ingross, or get into his Hands, by Purchase, Contract or Promise, any Goods or Servants, with Intent to sell the same again within Six Months, and the same, or any Part thereof, shall, within that Time, sell again, for ready Tobacco, or Tobacco to be paid the Shipping happening at the Time of such first Sale, or for Tobacco to be shipped for Payment of any Bill of Exchange drawn for Payment of the said Goods, Merchandizes or Servants, with Intent to avoid the Penalties of this Act, or shall transport the said Goods or Servants out of this Province, shall be deemed an unlawful Ingrosser or Regrator, and suffer the Penalties of this Act. 1704, *ch. 48*, §. 1.
2. Persons offending herein, and duly convicted thereof, shall, for the first Offence, suffer Two Months Imprisonment, and Loss of the Value of the Goods, Merchandizes or Servants. For the second Offence, Six Months Imprisonment, and double the Value of the Goods, &c. And, for the Third Offence, to stand in the Pillory, forfeit all their proper Goods and Chattels, and suffer Twelve Months Imprisonment. One Moiety of all which Forfeitures to be for the Support of Government, the other to the Informer. *Ibid.* §. 2 and 3.
3. This Act shall not extend to the Payment of Wages in Goods. *Ibid.* §. 4.

## INJUNCTIONS.

1. On Application of any Person who shall think fit to proceed in Equity against any Verdict or Judgment rendered against him, in the County Court, such Court may take Security from him, with two sufficient Sureties, in not less than double the Debt and Costs recovered, in the Form prescribed in this Act. 1723, *ch. 8*, §. 5.
2. Which Bond shall be a sufficient *Superfedeas* to stay farther Proceedings, 'til a Certificate is obtained out of Chancery, either of the Disallowance of an Injunction in such Case, or that such Injunction hath not been sued out of Chancery within two Months, or is dissolved. *Ibid.*
- See *Administration Bonds*, 1. *Continuance of Actions*, 3.
- INROLLMENT of Deeds. See *Church Lands*, 1. *Conveyances*, 2, 3, 6—11.
- INSPECTING-HOUSES. See *Warehouses*.
- INSPECTION of Flour and Bread. See *Flour and Bread*.
- INSPECTION of Tobacco. See *Inspectors*. *Tobacco Inspected*. *Warehouses*.