

C H A P.
LXXV.
Land confirm-
ed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland; That at any time after the first day of July next, a grant may issue in the usual mode to any citizen of this or any of the United States for any land within this state westward of Fort Cumberland, regularly surveyed by virtue of a special or common warrant obtained between the twenty-second day of March and the sixth day of October, in the year seventeen hundred and seventy-four, and for which the common consideration of one shilling sterling per acre was paid, and which certificates were at the time of passing the said recited act, *bonâ fide* the property of any citizen of this or any of the United States.

Grant void, &c.

III. AND BE IT ENACTED, That any grant issued or to be issued for any land lying within any manor to the westward of Fort Cumberland shall be void, and so shall be held and adjudged in any court of law or equity within this state.

Certain grants
void, &c.

IV. AND BE IT ENACTED, That if any grant hath been obtained, or shall hereafter be obtained, or any certificates returned in virtue of any warrant granted between the twenty-second day of March and the sixth day of October, in the year seventeen hundred and seventy-four, which certificate, at the time of passing the said recited act, was not *bonâ fide* the property of some citizen of this or some one of the United States, or for which the consideration aforesaid was not paid, such grant shall be void, and so shall be held and adjudged in any court of law or equity within this state; and the chancellor may offer to the person applying for a grant to be examined upon oath or interrogatories touching the matters aforesaid, and to examine witnesses respecting the same; in order that it may be discovered, in a summary manner, whether the certificate was, at the time of passing the above recited act, *bonâ fide* the property of some citizen of this or some of the United States, and the consideration was paid as aforesaid; and if the party shall refuse to be examined upon oath or interrogatories, and to have the matter inquired into in a summary manner, then the chancellor may note the same, and give information thereof to the attorney general, who shall file a bill in chancery against such person for the discovery of the truth of the facts by the regular course of the proceeding in the chancery court; and if it shall appear to the chancellor, either upon examination in a summary way aforesaid, or upon a bill being filed as aforesaid, that the certificate upon which patent shall be applied for was not *bonâ fide* the property of some citizen of this or some of the United States at the time of passing the above recited act, or that the consideration was not paid as aforesaid, in every such case the chancellor shall not order grant to be issued on such certificates, but declare the same void and of none effect; and the register of the land office shall endorse the chancellor's determination on the certificate, and shall make a note thereof in the margin of the record wherein the warrant upon which certificate was made hath been recorded.

Balance to be
paid, &c.

V. AND, whereas it is represented to this general assembly, that on sale of lands by the commissioners of the late proprietary to citizens of this state, from the year seventeen hundred and sixty-seven to the year seventeen hundred and seventy-one, grants have not issued in some cases where the whole consideration was satisfied, and in other cases where part of the purchase money remained unpaid, BE IT ENACTED, That where all the purchase money for the sales as aforesaid has been paid, and in case where part only of the purchase money hath been paid, and any purchaser shall pay the balance due to the treasurer of the western shore, that in either case grant shall issue in the usual form to the purchaser and his heirs; and any money which shall by such purchaser be paid to the said treasurer as aforesaid, shall be by him paid to the legal representative of the late proprietary.

Grants void,
&c.

VI. AND BE IT ENACTED, That if any grant has or shall hereafter issue for any lands to the westward of Fort Cumberland, on surveys or resurveys, in which vacancy is included, made in virtue of warrants granted on or after the sixth day of October, seventeen hundred and seventy-four, such grants shall be void, and so held and adjudged in all courts of law and equity.

Excess to be
paid for, &c.

VII. AND, whereas there may have been surveys to the westward of Fort Cumberland made under warrants granted between the twenty-second day of March and sixth day of October, seventeen hundred and seventy-four, where the quantity expressed in the warrant has been exceeded, BE IT ENACTED, That grants may issue on any survey where the quantity expressed in the warrant has been exceeded not above one fourth, and such excess shall be paid for to the treasurer of the western shore.

By 1785, ch. 67, the chancellor is empowered to determine whether grants shall issue for such excess, &c.