

Passed 20th of
Jan. 1787.

C H A P. XLII.
An ACT to appoint a commissioner to settle the account of this state with the United States. Lib: TBH. No. B. fol. 152.

C H A P. XLIII.
An ACT respecting apprentices. Lib. TBH. No. B. fol. 154. Repealed by 1793, ch. 45.

C H A P. XLIV.
An ACT for the speedy adjustment of sundry purchases of British property. Lib: TBH. No. B. fol. 158.

Preamble.

WHEREAS there have been many sales of confiscated British property in several of the counties of this state where the quantities of land were uncertain, at a certain sum by the acre, and bonds have been taken on a calculation of the greatest supposed quantity, which in many instances are not yet ascertained by accurate surveys; other lands sold are partly taken away by elder interfering surveys or titles; in some few other instances there is a plain defect of title in the public; in others the title of the public is disputed; and in some instances in Cecil county, the purchasers or others have an equitable though not a legal title to the land, or part of the land, purchased of the public, by a compliance with the old office terms of Pennsylvania, and the agreement of the former proprietors of Maryland and Pennsylvania; in some of which cases there is no remedy by summary proceeding, even in the chancery court, and in others a summary proceeding there will require more trouble, delay and expence, than necessary; and it is just and proper that the late commissioners, and the late intendant, who were entitled to commissions on the respective property by them sold, and for which the money was paid, or bonds given, should finish the business by them transacted.

Commissioners,
&c. to cause
lands to be sur-
veyed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the late commissioners for the sale of confiscated British property, and the late intendant of the revenue, shall, as soon as well may be, cause the lands by them sold respectively, where the sum of the purchase money, according to the contract, depends on the quantity of land, to be carefully and accurately surveyed by skilful surveyors and careful chain-carriers, sworn to execute their respective duties of surveyor or chain-carrier, as the case may be, honestly and truly; and the said late commissioners and late intendant respectively, shall cause a certificate of each separate purchase to be made, having a fixed beginning, with a plot thereto annexed, as well as a general plot of all adjoining parcels purchased, and on the said general plot shewing and describing the part and quantity taken away by any elder survey or title, and representing also any well grounded contrary claims; and the said certificates and plots shall be examined by the examiner-general; and the said commissioners and intendant are directed to be careful and diligent in their inquiry as to the true location of the lands sold, and of the interfering lands by which the same may be any way affected, and in their examination of the claims and pretensions which may affect the said lands sold, and the public interest therein; and where it shall appear to the said late commissioners, or any two of them, or to the said late intendant, that there ought to be any discount or allowance of any part of the purchase money for land sold by them respectively, and the interest thereon, they shall certify the same with the facts and reasons on which they ground their opinion, to the chancellor, who may pass his order thereon, or if he sees cause, may farther inquire and proceed as if he was originally possessed of the matter by petition, and the chancellor may make such allowance as aforesaid, where it shall appear that the purchaser or any other person had an equitable title under the land-office terms of Pennsylvania, and the agreement between the said two late proprietors; and where any sale shall be certified by the late commissioners, or any two of them, or the intendant, making the sale, that the sale and purchase was a mere mistake, and that the purchaser can hold no part of the land really purchased, the chancellor shall order as equity requires; and the register in chancery shall be entitled to five shillings, and no more, on any order passed under this act, or on petition by virtue of any other act to discharge the purchaser in whole or in part of his contract, and for all proceedings respecting it, unless there shall be summonses for, or an examination of, witnesses; and all orders passed under this act shall have the same effect as those passed by the chancellor by virtue of the act ascertaining the mode of granting titles to the purchasers of certain confiscated property; and the purchasers of confiscated property shall have the like redress, after deed and conveyance, as they would have been entitled to before such deed and conveyance by virtue of this or the said act; and any purchaser as aforesaid may also, in manner aforesaid, have the relief that justice may require where the land purchased is discovered to be under incumbrances not known at the time of the purchase, as subsisting leases, title to dower, and the like.

Chancellor may
grant lands, &c.

III. AND BE IT ENACTED, That the chancellor may grant any lands held under equitable title as aforesaid, where the office terms of Pennsylvania hath been complied with, and for which a grant ought