

C H A P.
LXXXII.

Agent to give
public notice,
&c.

VII. AND BE IT ENACTED, That the said agent, in a convenient time after the receipt of such proceedings, shall give public notice for the space of twelve weeks, by advertisements to be inserted in an Eastern, Baltimore, Annapolis, Frederick, George-town and Philadelphia newspapers, and set up in public places in the neighbouring counties, that the said Indian lands aforesaid are allotted and intended for public sale, at a certain time and place in Dorchester county, to be mentioned in such advertisements, and the said agent shall attend at the time and place appointed, and shall proceed to expose the said lots to sale by the acre, and the same shall be respectively struck off to the highest bidder, upon the following terms, and not otherwise: The purchaser shall give bond to this state, with such security as the said agent may approve, for the payment of the said purchase money, in specie, in four equal annual instalments, with interest thereon from the day of sale, the lands belonging to the purchasers, and their securities, at the time of such sale, shall be bound from the passage of their respective bonds for the payment of the purchase money, or so much thereof as may be due; and on a compliance with the foregoing terms of sale by any purchaser, it shall be lawful for the said agent, and he is hereby authorized and empowered, to execute and acknowledge, in due form of law, a deed of bargain and sale to such purchaser for the lot or lots respectively sold, describing the said lot or lots in such deed according to the surveyor's certificate thereof, and thereupon, and upon the due enrolment thereof, the right, title and interest, of the state shall thereby be vested in such purchaser, and his heirs, in fee-simple; and the said agent shall proceed, in his discretion, to expose the said lots to sale at the time mentioned in said advertisement, or for sufficient reason may adjourn the sales to such other time or times as shall seem to him adviseable, so as to promote a fair and honest sale of the premises aforesaid.

Commissioners
allowance, &c.

VIII. AND BE IT ENACTED, That each of the said commissioners, and the said surveyor, shall be entitled to receive three dollars for every day they shall be necessarily employed in the execution of this trust, and the said agent shall be entitled to receive a commission of one per cent. on the amount of the sales of the said lots; and the said expences, and all other lawful and reasonable expenditures incurred by virtue of this act, shall be paid by the treasurer of the western shore to the respective parties entitled to receive the same, and the said treasurer shall keep a correct account of all such payments; and the said agent shall keep an account of his proceedings in the premises, and the same, together with the bonds taken in virtue of this act, and the several vouchers for payments, and the proceedings and expenditures of the said commissioners, shall be lodged by them in the treasury of the western shore, and be subject to the inspection of the general assembly when the same shall be required.

Treasurer to
pay, &c.

IX. AND BE IT ENACTED, That the treasurer of the western shore shall be authorized, and he is hereby required, after the execution of the trusts herein before mentioned, and the times limited, to pay the orders drawn as aforesaid for the use of the said Indians out of any unappropriated-money in the treasury.

Indians not to
sell, &c.

X. AND BE IT ENACTED, That it shall not be lawful for the said Indians to sell, grant, lease, or otherwise dispose of, the lands to be reserved to them by virtue of this act, or any part thereof, for any estate, or in any manner whatsoever; and if any person or persons, after the completion of the contract and agreement aforesaid, shall presume to purchase, lease, or in any manner take, the said lands, or any part thereof, of the said Indians, or any of them, contrary to this act, such person or persons shall forfeit and pay the sum of two hundred dollars, to be recovered by presentment and indictment in the county court of Dorchester, and his, her, or their estate therein shall be void and of no effect, and the party or parties shall be trespassers, and for such trespass, and for every other trespass in any manner committed upon the said reserved lands, the party or parties shall be liable to be sued in the name of this state, and, on conviction, double damages shall be recovered, and the costs of suit.

Provide.

XI. PROVIDED NEVERTHELESS, AND BE IT ENACTED, That before any commissioner, appointed or to be appointed in virtue of this act, shall proceed to execute the trust hereby reposed in him, he shall take an oath, or affirmation, before some justice of the peace of the said county, that he will faithfully and honestly, according to the best of his skill and judgment, execute and perform the several trusts and duties required of him by this act, without affection, partiality or prejudice, and the taking thereof shall be certified by such justice, and transmitted to the treasurer of the western shore, together with the proceedings of the said commissioners; that in case no contract shall be made between the said commissioners and the said Indians, under and by virtue of this act, before the first day of August next, that in such case the agent for the time being be authorized, at his discretion, to prosecute a suit or suits at law or equity, as the case may require, to recover the possession of said land, or of any part thereof, to which the state may be entitled.

An act repeal-
ed.

XII. AND BE IT ENACTED, That the act, entitled, An act for appointing commissioners to contract for and purchase the Indian lands in Dorchester county, and for appropriating the same to the use of this state, shall be and the same is hereby repealed.

C H A P. LXXXIII.

Passed Jan. 18.

AN ACT to confirm an act, entitled, An act to alter such parts of the declaration of rights, the constitution and form of government, as prevent persons conscientiously scrupulous of taking an oath from being witnesses in all cases.

An act con-
firmed.

BE IT ENACTED, by the General Assembly of Maryland, That an act passed at November session, seventeen hundred and ninety-seven, entitled, An act to alter such parts of the declaration of rights, the constitution and form of government, as prevent persons conscientiously scrupulous of taking an oath from being witnesses in all cases, shall be and the same is hereby confirmed.