

Your Committee have made diligent Search in the Journals of the Honourable House of Delegates, for the Years 1696, 1697; but cannot find the Deed, Obligations, Writings, or Evidences, in the said Act mentioned to be recorded in the said Journals: And your Committee likewise applied to the Clerk of the Council, to know if the said Deed, Obligations, or Evidences, were recorded in the Journals of the said Council; who answered, that he had made diligent Search, but could not find the same in the said Journals.

Your Committee, upon Enquiry, find, that Dr. George Stuart, Mr. John Lewis, and the Heirs of Mr. Hugh Kennedy, deceased, are in Possession of the said Land, under Leases, or Promises of Leases, from the Visitors of the Free School, or King William's School, in the City of Annapolis; and that they, or some of them, or those under whom they or some of them derive their Title, have been so possessed for 30 Years last past, or more. Your Committee find in the Land-Office, that a certain Emanuel Jenkinson, of Talbot County, had surveyed for him a Tract of Land called Surveyor's Forest, lying in Dorchester County, on the South Side of Great Choptank River, for 650 Acres; as by the Certificate thereof, bearing Date March 10, 1682, may appear. We likewise find in the said Land-Office an authentic Assignment, well drawn, from the said Emanuel Jenkinson, dated the 1st Day of April, 1683, to Thomas Smithson, of Talbot County, Gent. in Consideration of 2400 lb. of Tobacco, for the said Land called Surveyor's Forest. We also find in a Copy of the last Will and Testament of Col. Thomas Smithson, heretofore of Talbot County, deceased, from the Prerogative Office, the following Clauses; viz. 'My Land called Surveyor's Forest, in Dorchester County, I give to my Sister Dorothy, the Wife of Michael Fletcher, of Richmond in Yorkshyre, in Great Britain, and to the said Michael her Husband, and to any Husband she may happen to have, for their Lives, and the Life of the longest Liver; the Remainder to the lawful Issue of my said Sister; and for Default of such Issue, to the Visitors of the Free Schools in Maryland, and their Successors, for ever: Provided always, my Wife, if she survives me, shall have the Use of the said Land, and Plantation thereon, and the Service of all the Negroes to the Plantation belonging, or accounted to belong to it, 'til my Sister or her Husband arrive within the Capes of Chesapeake Bay; and if they, or either of them, never arrive, then my Wife shall have the said Plantation and Negroes for her Life: My Will is, that my Negroes commonly called Dick, Will and Maria, shall be accounted as belonging to that Plantation; all which Negroes so to that Plantation belonging, I do affix and make regardant to the Land called Surveyor's Forest, never to be removed from it, but to go along with the Land in Descent and Remainder as afore limited; and that they shall have two Acres of convenient clear Land fenced, wherein to plant to their own Use what they please, for which my Will is that they have a reasonable Time allowed. All other my Goods and Chattels whatsoever I give to my Wife, if she survives me. Provided always, That if the Rector and Visitors of the Free Schools discharge me or my Executrix of five hundred Dollars, Part of their Money I have in my Hands, to be by my Executrix sent in Specie, or by Bills of Exchange, remitted to my Sister, if she survives me, whom I would not have come into this Country; then the said Rector and Visitors, and their Successors, shall have the Plantation and Land of Surveyor's Forest, immediately after the Death of my Wife: But if my Sister, nor her Husband, do not survive me, then the said Rector and Visitors shall immediately succeed my Wife, they paying or discounting one hundred Dollars to defray the Charge of my Funeral. Item, I will, that whilst my Wife shall have the Use of the Plantation last mentioned, and Service of the Negroes there, she shall also have the Use and Benefit of the Hogs and Cattle there. But if the said Plantation and Negroes ever come to my Sister or her Husband, or either of them, they shall have all Cattle and Hogs, to do with them as they will: But what Cattle or Hogs my Wife shall have on the Plantation, shall go with the Land to the Visitors of the Free Schools, and their Successors, for Maintenance of the Negroes.'

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Wm. Wilkins.

The Bill entituled, *An Act for the Sale of certain Lands and Houses belonging to the Free School in the City of Annapolis, called King William's School*, was read the second Time and will pass, the following Clause being inserted after the Word contained, in the 13th Line of the 2d Page; viz.

'And be it further Enacted by the Authority, Advice, and Consent, aforesaid, That the Rector and Visitors of the said King William's School shall, and they are hereby obliged and directed, to lay out the Money arising by the Sale of the said Land called Surveyor's Forest, and the said Lots and Houses in the City of Annapolis, at Interest, on good Security, for the Use of the said Free School; and that the annual Interest arising therefrom shall be applied towards the Payment of a Master, Masters, or Usher, of the said School, and to no other Use or Purpose whatever.'

Was sent to the Upper House by Capt. Lux and Mr. Smith.

Mr. Sullivane delivers to Mr. Speaker a Bill entituled, *An Act to enable the Rector and Vestrymen of Great Choptank Parish in Dorchester County to lease some Land belonging to the said Parish unimproved*; which was read the first Time, and ordered to lie on the Table.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, *An Act continuing an Act entituled, An Act for the speedy and effectual*