

that the possessors thereof have continued to cultivate and improve the same, and the same have been aliened by the respective possessors from time to time, for the full value thereof, without any respect being had to any sum or sums of money which might be due to the respective proprietors; that on the 1st May, 1732, the then proprietor of Pennsylvania and Delaware on the one part, and the proprietor of Maryland on the other part, did enter into an agreement to settle the boundaries of their respective provinces; that by their said agreement, in order to quiet the possessions of persons who occupied lands under titles derived from the respective proprietors, it was provided, that, in case of grants, patents, leases, warrants, licences and agreements, which at any time before the 15th of May, 1724, had been made or granted by the respective proprietors, or their ancestors, and under which any of the said occupiers did hold or claim any such parcels of land, the said occupiers should and might, upon request and payment of only the accustomed fees in such cases, have new grants or patents from the respective proprietors within whose territories or limits, by virtue of such agreement, the said occupiers should fall, upon condition that they attorned as tenants to the respective proprietors within whose territories or limits their lands might lie by virtue of the said agreement, and upon further condition that they submitted themselves to the government thereof, and paid to their new proprietor or proprietors (unless it should be dispensed with by him or them) all such fines, rents, and arrearages of rents and duties, as by their original grant, licence or agreement, were to have been paid to their former grantor or proprietor, and for the time to come such occupiers should be put upon the like foot and condition with the occupiers and tenants who held lands in such parts of the said respective provinces and counties as were not in dispute; that the possessors of such lands continued in the possession thereof, and remained satisfied in consequence of the said agreements, but were unable to obtain further titles, by reason of the disputes which still subsisted between the said proprietors respecting the construction and operation of the said agreement; that divers orders of the king in council were issued to quiet the disputes which arose between the settlers in consequence of the confused state of the provincial boundaries, and also to compel the said proprietors respectively to abide by their said agreement of 1732; that the orders of the king in council proving ineffectual, the proprietors of Pennsylvania filed their bill in the high court of chancery of England, against the proprietors of Maryland, for a specific performance of the said agreement of 1732, and after sundry supplemental bills and bills of revivor, a specific performance of the said agreement was decreed by the lord chancellor of England, on or about the 15th of May, 1750; that notwithstanding the said decree, the boundaries remained still unsettled, and so continued until the proprietors of the said provinces, in the year 1750, by their final agreement, put an end to all disputes subsisting between them, and appointed surveyors and commissioners to run and settle the said boundaries, which were not fully completed and executed until some time in the year 1766; that the settlers upon the contested territory expected, that as soon as the said lines were fully settled to the satisfaction of the contending proprietors, notice by proclamation would be given, but they were prevented from obtaining titles before the revolution, by reason of an order by the proprietors of Maryland, forbidding their surveyors to locate any warrants within three miles of the line; that the said settlers, as early as July, 1776, petitioned the convention of the state of Maryland to allow them to become citizens of the said state, and to take them under the protection thereof, which was immediately done by a resolve of the said convention; that the said settlers, after they were permitted to become citizens of Maryland by the said resolve, were prevented from obtaining titles, on account of the land office being shut, and for other causes, until the appointment of the late intendant of the revenue, who was authorized to sell all confiscated property; that the said intendant conceiving the lands aforesaid to come under the description of confiscated property, offered the same for sale, and the occupiers thereof were induced to become purchasers, through fear of being engaged in lawsuits with litigious and designing persons, who they were informed intended to purchase their settlements; that the said settlers gave their bonds for the payment of the purchase money, which are now lodged in the treasury. Your committee find, that such settlers as fell within the province of Pennsylvania by the establishment of the divisional line, have since the revolution obtained grants for their lands upon payment of the fees of office only, and that the original composition money has been given up.

Under these circumstances, your committee beg leave to submit it to the honourable house as their opinion, that the said settlers are entitled to the favour of the legislature, and that all persons claiming land in Cecil county, known by the name of the Nottingham Lands and the Welsh Tract, by virtue of any grant, warrant, licence, patent, lease or agreement, from the proprietaries of Pennsylvania, or their agents, at any time prior to the 15th day of May, 1724, and all persons claiming by, from or under, the said settlers, or any of them, should be entitled to a patent from the state of Maryland for such part of the said land as they now do or hereafter may hold and be entitled to by virtue of any such grant, patent, lease, warrant, licence or agreement, with the proprietor or proprietors of Pennsylvania, or their agents, upon making such title appear to the satisfaction of the chancellor, and on paying for their lands at the rate of fifteen pounds per hundred acres in depreciation certificates, and of the fees of office and all legal costs of suit incurred on their bonds, which have not been remitted by former resolves or acts of assembly; and that upon proving title and making the payments aforesaid, the treasury of the western shore be directed to deliver up to them their bonds, provided that such title be made appear to the chancellor, and such payment made, within twelve months from the end of this session of assembly.

Your committee further beg leave to submit as their opinion, that if any of the said settlers have paid on their bonds more than their lands amount to at the rate aforesaid, the overplus should be refunded by a certificate to be issued by the treasurer of the western shore.