

of Major Hicks under whom he holds by Demise (nothing L. H. J. being Shewn to the Contrary by Cap<sup>t</sup> Rider) was after the Year of our Lord 1698 the Time of Ascertaining the Bounds of the Indians Lands at Chiccowan according to the paper Marked C. C: and Seems to this Committee to be a Manifest proof that Cap<sup>t</sup> Riders purchase [was] under the Circumstance of an Indian Title and Possession and Ought therefore both in Law and Equity to have waited untill their Right had determined and devolved upon him according to the Proviso in the afores<sup>d</sup> Act of Assembly.

We find also the Indians Manner of Planting and habitation in their Towns to be Represented in the Case far different from the practice amongst those people who Instead of being Unsettled Ubiquitarians had by themselves together with the Wicomeses their Subjects, Claimed and Inhabited about Chiccowan Creek Anno 1668, as appears Lib: H. H. page 296 but how many Years before that time, we are not able to Discover nor is it Reasonable to believe that any Desire in the Proprietors of the Land in Question, to have their Lands Cleared by the Indians (as it is alledged in the Case) nor their being Eased of the Quitt Rents, nor much less any Expectation of their Desertion of those Towns, the fixt Habitation of the most potent Nations of the Indians on the Eastern Shore Should have any ways facilitated the passing of that Act of Assembly for Ascertaining the Bounds of a Tract of Land for the Use of the Nanticoke Indians Anno 1698, Seeing that it appears Evidently the said Act was made in Consequence only of the Indian Habitation at that place for many Ages, as far as we Can tell, and of a Comission heretofore viz: Anno 1684 Directed to Coll<sup>o</sup> William Stevens, Major Thomas Taylor and Others for the laying out and Ascertaining a tract or portion of Land, where the Emperor of Nanticoke and the Indians under his Subjection then usually Inhabited.

We of this Committee do Represent also for the Setting this Case in a Clear Light and for preventing for the future the Intollerable Charge and great Interruption given to the Publick Business of this Province by the frequent Complaint p. 68 of those Indians, that we have made diligent Search into Ancient Records and proceedings of this Province in Relation to Indian Titles and possessions of Lands allotted or otherwise Ascertained to them, and we find that upon Application Made to the Queen of Port Tobacco &c: That a proclamation Issued Anno 1663 Setting forth the Complaint of those Indians, that their Corn fields, were Yearly destroy'd by the Cattle and Hogs of the English and they thereby Reduced to Famine, for Prevention of which Mischief it was