

Indians should desert it, it not appearing to your committee that any compensation had ever been paid to Colonel John Rider for the land. It also appeared that a certain George Kirkman and the heirs of Colonel William Ennalls also claimed lands in the Nanticoke River reservation, but that these later claims did not seem to be valid as the lands were granted to them subsequent to the passage of the act of 1704; nor does it appear to the committee that there are any Indian claimants to these Nanticoke River tracts granted in 1704, or to the tracts on Broad Creek granted in 1711, other than the three who signed the petition to the Assembly, namely, one Indian woman and two Indian boys on the Nanticoke River tract; and that there are none on the Broad Creek tract which lies partly in Maryland and partly in Delaware. The committee concluded by saying that none of the Maryland Indians, except these three Nanticoke petitioners are anxious to remove out of Maryland, the Choptank River Indians choosing to live in Maryland and to enjoy the provisions made for them (pp. 335-337). The house thereupon voted to reject the petition of the Nanticoke Indians, and the committee was ordered to prepare an address to the Governor, giving the reasons for this action. In this address of the Lower House it is stated that the Nanticoke River tract belonged to several owners; that the lands of which the Rider heirs claimed the reversion had been taken up many years before the act of 1704 was passed; that the Lower House felt that the intention of these acts was to provide a dwelling place and a comfortable subsistence for the Indians living on the Nanticoke and Choptank rivers so long as they remained in Maryland, and that to permit the very few that are now left to sell these lands would neither be for the interests of the Indians themselves nor consistent with justice to the public and the individuals concerned (pp. 338-339). Perhaps the Lower House felt a settlement with the few Nanticoke Indians on the basis of anything like the then market value of their lands involved larger payments than were felt justifiable, and that the claim of their agent, Ogden, was in the nature of a hold-up; and also apparently because the original petition did not state that practically the entire tribe already had moved north.

Notwithstanding the emphatic rejection by the Lower House of the Nanticoke petition, just ten days later, on June 7th, the Governor sent another message to the Lower House, transmitting with it a revised petition by Amos Ogden, the Nanticoke's agent, which recommended a settlement with the Indians on the basis of a small payment and the passage of an empowering act. The Governor, in his message to the Lower House, said that Mr. Ogden's revised petition, restated the entire matter in a way of which he had not been before apprised, and that this might also induce the house to come to a different resolution. He said that Ogden regretted that he did not have the opportunity to present the matter personally to the Assembly. He explained that Ogden represented the entire Nanticoke tribe, who, with the exception of the old woman and the two children remaining in Maryland, had already actually incorporated themselves with the Six Nations, and that they were, therefore, "willing to accept a very small compensation in proportion to the actual value of the lands in lieu of any claim they or their heirs may have—by virtue of the acts of the As-