

be a perpetual bar against any claim derived from the owners aforesaid.

By an act of 1721, ch. 12, the governor was authorised to appoint commissioners to resurvey the indians' lands, and ascertain the bounds thereof: the commission was to continue in force for three years, but the proceedings under it were to be perpetual. Commissioners were in consequence appointed, and their survey was confirmed by act of 1723, ch. 18, as being agreeable to the original grant of 1669.

By the aforesaid act of 1723 on a complaint, by the indians, of encroachments upon their lands, it was enacted that the Nanticoke indians, and their descendants, should have free and uninterrupted possession of the tract lying between the north west fork of Nanticoke river and Chicucone creek, as bounded by the act of 1698, ch. 15, so long as they, or any of them, should think fit to use, and not totally to desert and quit claim to the same; and they were debarred from the right of selling, or leasing for term of years, any part of the said land. The like possession was confirmed to the Choptank indians, of the tract in Dorchester county, on Choptank river, as surveyed and laid out under the commission abovementioned: They, also, were interdicted from selling, or letting to farm, any part of their said lands, except such part as lied to the eastward, southward, and westward of the lines formerly run from the head of Sewall's creek to William Barrington's bounded tree, on the exterior bounds of the land, in pursuance to an ordinance of the assembly then made, and all purchases or leases not comprised within the aforesaid exception were declared void. No lease already made, either for term of years or for lives, was to be of force longer than for seven years from the end of the (then) present session, and all sales, gifts, grants, or leases, made by the said indians since November 1721, of any lands on the south side of Sewall's creek, and the southern branch thereof, and within the lines run as aforesaid as the exterior bounds of the land, were declared void and of no effect, but means were provided at the same time for enforcing the regular payment of rents accruing to the indians on leases not contravening those provisions; and purchases *bona fide* made since the year 1721, or thereafter to be made, not within the aforesaid prohibition, were confirmed to the purchasers and their heirs forever, provided such purchases were made when the indians were sober, and of sound and perfect memory, and the consideration paid to them before executing the deeds of sale, and such deeds acknowledged by them before the county court, or before one or more members of the council; the said deeds to be otherwise void and of no effect.