

Resource Sheet #5

Saturday May 28.<sup>th</sup>

The house met according to adjournment. The members were called and all appeared as on yesterday. The proceedings of yesterday were read. M.<sup>r</sup> Ringgold brings in and delivers to M.<sup>r</sup> speaker the following address

To his excellency Horatio Sharpe esquire, governor and commander in chief in and over the province of Maryland.

The humble address of the house of delegates.

May it please your excellency

We have taken that part of your excellencys speech, with the several papers which have been laid before us, relative to the Maryland indians, into our consideration; and from thence, and on the best enquiry we have been able to make, we cannot discover that any of them, except those who have petitioned, are desirous of removing from this province. We find that by an act of assembly made in the year 1704, reciting that it was just the indians should have a convenient dwelling place, a tract of land on Nanticoke River, was appropriated to the use of the Nanticoke indians, their heirs and successors, for ever; under a proviso, that it should be lawful for any person or persons that had formerly taken up and obtained any grants from the lord Baltimore, for any tracts or parcels of land within the boundaries thereof, upon indians deserting or leaving the said land, to enter, occupy and enjoy the same: That by another act passed in the year 1711, three thousand acres of land on Broad Creek, on Nanticoke River were directed to be laid out by commissioners, valued by a jury, and paid for by the public; and, that when the same should be laid out, and paid for by the public as aforesaid, the same should be to the use of the Nanticoke indians so long as they should occupy the same, and afterwards should be disposed of as the general assembly of this province should direct. That the commissioners appointed by the last mentioned act, caused the three thousand acres of land to be laid out and valued, and returned a certificate of their proceedings into the provincial court office where it now remains of record, by which it appears the land belonged to several owners and proprietors and was valued in the whole to sixty thousand pounds of tobacco, which together with eight thousand eight hundred and eighty pounds of tobacco for improvements made on part of the land, and expences attending the surveying and valuing thereof was, as appears by the assembly proceedings in the year 1712, allowed by and assessed on the public. By the papers laid before us, it appears the reversion in 1664 acres part of the land described in the said

act of 1704 is claimed by the heirs of colonel Rider under grants made many years before that act; but it does not appear in any manner, that he, or any other person hath ever received any satisfaction therefor; and that the reversion in some other parts of the

Nanticoke tract, is claimed under grants to colonel William Ennals, made since the year 1704. We conceive it to be clear, from the purview of the said recited acts, and of one other act of assembly made in the year 1723 for quieting the possessions of the Indians inhabiting on Nanticoke and Choptank Rivers, that the intention of the legislature was nothing more than to provide for and secure to those people a dwelling place and the means of a comfortable subsistence so long as they should incline to remain among us; and therefore, to permit such of them as are now left, who appear to be very few to sell the lands, would be directly contrary to the intention of those laws; and we are also of opinion, that it cannot be for the interest of the Indians themselves, to be permitted to do so, nor would be consistent with the justice and to the public and individuals.

Which is read, and approved of, and ordered to be ingrossed  
M.<sup>r</sup> Gresham hath leave of absence till Monday next

On motion, that that part of his excellencys speech which recommends some notice to be taken of the confusion occasioned in this province by the loss of land boundaries, and the variation of the compass: Resolved that the same be taken into consideration on Friday next

Proceedings and Acts of the General Assembly, 1766-1768 (Transcribed version).  
*Maryland Historical Society*. Retrieved (September 25, 2007) from

<http://www.msa.md.gov/megafile/msa/speccol/sc2900/sc2908/000001/000061/html/am61--338.html>