

C H A P.  
XLIII.

terms of sale by any purchaser, it shall be lawful for the said treasurer, and he is hereby authorized and empowered, to execute and acknowledge, in due form of law, a deed of bargain and sale to such purchaser for the lot or lots respectively sold, describing the said lot or lots in such deed according to the surveyor's certificate thereof, and thereupon, and upon the due enrolment thereof, the right, title and interest, of the state shall thereby be vested in such purchaser, and his heirs, in fee-simple; and the said treasurer shall proceed in his discretion to expose the said lots to sale at the time mentioned in said advertisement, or for sufficient reason may adjourn the sales to such other time or times as shall seem to him advisable, so as to promote a fair and honest sale of the premises aforesaid.

Allowance to  
commission-  
ers, &c.

IX. **And be it enacted,** That each of the said commissioners shall be entitled to receive fifteen shillings for every day he shall be necessarily employed in the execution of this trust; and that the said surveyor shall be entitled to the same fees as on other surveys; and that the said treasurer shall be entitled to receive a commission of one *per cent.* on the amount of the sales of the said lots; and the said expences, and all other in making and completing the road herein before directed to be laid off, made and completed, and in the employment of chain-carriers and other lawful expenditures incurred by virtue of this act, shall be defrayed out of the money paid down by the purchasers as aforesaid, and paid by the said treasurer to the respective parties entitled to receive the same; and the said treasurer shall keep a correct account of all such payments, and of his proceedings in the premises, and the same, together with the bonds taken in virtue of this act, and the several vouchers for his payments, and the proceedings and expenditures of the said commissioners, shall be lodged by him in the treasury of the western shore, and be subject to the inspection of the general assembly when the same shall be required.

Treasurer to  
pay orders,  
&c.

X. **And be it enacted,** That the treasurer of the eastern shore shall be authorized, and he is hereby required, after the execution of the trusts herein before mentioned, and the times limited, to pay the orders drawn as aforesaid for the use of the said Indians, out of any unappropriated money in the treasury of his shore, and if there should be no such money in his treasury at the time of application, then the said orders shall be payable by the treasurer of the western shore out of any unappropriated money in that treasury.

Indians not to  
sell, &c.

XI. **And be it enacted,** That it shall not be lawful for the said Indians to sell, grant, lease, or otherwise dispose of, the lands to be reserved to them by virtue of this act, or any part thereof, for any estate, or in any manner whatsoever; and if any person or persons, after the completion of the contract and agreement aforesaid, shall presume to purchase, lease, or in any manner take, the said lands, or any part thereof, of the said Indians, or any of them, contrary to this act, such person or persons shall forfeit and pay the sum of ten pounds current money, and his, her, or their estate therein shall be void and of no effect, and the party or parties shall be trespassers; and for such trespass, and for every other trespass in any manner committed upon the said reserved lands, the party or parties shall be liable to be sued in the name of this state, and, on conviction, double damages shall be recovered and the costs of suit.

Proviso.

XII. **Provided nevertheless, and be it enacted,** That before any commissioner, appointed or to be appointed in virtue of this act, shall proceed to execute the trust hereby reposed in him, he shall take an oath, or affirmation, before some justice of the peace of the said county, that he will faithfully and honestly, according to the best of his skill and judgment, execute and perform the several trusts and duties required of him by this act, without affection, partiality or prejudice; and the taking thereof shall be certified by such justice, and transmitted to the treasurer of the eastern shore, together with the proceedings of the said commissioners.

Proviso.

XIII. **And provided also,** That if any of the said lots, at the time of the sale thereof, shall be occupied by any lawful tenant of the said Indians, such tenant shall