

C H A P.
XLV.

purchases and leases respectively, without impeachment, and against any contrary title now existing; but if any person hath made a conveyance, or shall make a conveyance or lease, of any lands within the limits of the said city, not having right and title to do so, the person who might be entitled to recover the land under a contrary title now existing, may, either by way of ejectment against the tenant, or in an action for money had and received for his use against the bargainor or lessor, his heirs, executors, administrators or devisees, as the case may require, recover all money received by him for the squares, pieces or parcels, appropriated for the use of the United States, as well as for lots or parcels sold, and rents received, by the person not having title as aforesaid, with interest from the time of the receipt; and, on such recovery in ejectment, where the land is in lease, the tenant shall thereafter hold under, and pay the rent reserved to, the person making title to and recovering the land; but the possession, *bonâ fide* acquired, in none of the said cases shall be changed.

Foreigners
may hold
lands, &c.

VI. **And be it enacted,** That any foreigner may, by deed or will hereafter to be made, take and hold lands within that part of the said territory which lies within this state, in the same manner as if he was a citizen of this state, and the same lands may be conveyed by him, and transmitted to, and be inherited by, his heirs or relations, as if he and they were citizens of this state; provided, that no foreigner shall, in virtue hereof, be entitled to any further or other privilege of a citizen.

Commission-
ers to appoint
a clerk, &c.

VII. **And be it enacted,** That the said commissioners, or any two of them, may appoint a clerk for recording deeds of lands within the said territory, who shall provide a proper book for the purpose, and therein record, in a strong legible hand, all deeds, duly acknowledged, of lands in the said territory, delivered to him to be recorded, and in the same book make due entries of all divisions and allotments of lands and lots made by the commissioners in pursuance of this act, and certificates granted by them of sales, and the purchase money having been paid, with a proper alphabet in the same book of the deeds and entries aforesaid, and the same book shall carefully preserve, and deliver over to the commissioners aforesaid, or their successors, or such person or persons as congress shall hereafter appoint; which clerk shall continue such during good behaviour, and shall be removable only on conviction of misbehaviour in a court of law; but before he acts as such, he shall take an oath, or affirmation, well and truly to execute his office; and he shall be entitled to the same fees as are or may be allowed to the clerks of the county courts for searches, copying and recording.

Acknow-
ledgments of
deeds to be
effectual, &c.

VIII. **And be it enacted,** That acknowledgments of deeds made before a person in the manner and certified as the laws of this state direct, or made before, and certified by, either of the commissioners, shall be effectual; and that no deed hereafter to be made of or for lands within that part of the said territory which lies within this state, shall operate as a legal conveyance, nor shall any lease for more than seven years be effectual, unless the deed shall have been acknowledged as aforesaid, and delivered to the said clerk to be recorded within six calendar months from the date thereof.

Entry to be
made of every
allotment.

IX. **And be it enacted,** That the commissioners aforesaid, or some two of them, shall direct an entry to be made in the said record book of every allotment and assignment to the respective proprietors in pursuance of this act.

Undertaker to
have a lien
on the pro-
perty, &c.

X. **And,** for the encouragement of master builders to undertake the building and finishing houses within the said city, by securing to them a just and effectual remedy for their advances and earnings, **Be it enacted,** That for all sums due and owing, on written contracts, for the building any house in the said city, or the brick work, or carpenters or joiners work thereon, the undertaker, or workmen, employed by the person for whose use the house shall be built, shall have a lien on the house and the ground on which the same is erected, as well as for the materials found by him; provided the said written contract shall have been acknowledged before one of the commissioners, a justice of the peace, or an alderman