

believe, that the admeasurement of the lots in said town was inaccurate in the first instance; that from the old stakes, set up as boundaries of said lots, being lost, and from the variation of the compass, many disputes have already arisen, and more might probably arise; and prayed that an act might pass, appointing commissioners for said town, with power to direct the levelling, sloping and amending, the streets in said town, with such drains as they may think proper, and also to regulate and direct the posting of footways on the sides of the streets, the breadth of the porches, steps to the houses, the paving of those footways, and placing new buildings on the streets; and also empowering the said commissioners to adjust, fix and settle, the lines and boundaries of the several lots and parts of lots, held in said town; which this general assembly have thought proper to grant:

C H A P.
XXXVI.

II. **Be it enacted**, by the general assembly of Maryland, That Jacob Young, Jacob Miller, Michael Allix, John M'Pherson, John Shellman, Conrad Doll and John Hoffman, or a majority of them, be, and they are hereby appointed, commissioners of Frederick-town; and that on refusal, death, removal or resignation, of any of the said commissioners, the major part of the remaining commissioners shall appoint another to serve in the stead of such commissioner so refusing, dying, removing or resigning; but before any person appointed or to be appointed a commissioner shall act as such, he shall take an oath or affirmation before some justice of the peace, that he will well and faithfully execute his duty of commissioner of Frederick-town, according to the directions of this act, without partiality or prejudice; to the best of his skill.

Commissioners appointed, &c.

III. **And be it enacted**, That the said commissioners are hereby constituted and made a body corporate, by the name of The Commissioners of Frederick-town, with all the privileges of a body corporate, and to have a common seal and perpetual succession.

And incorporated.

IV. **And be it enacted**, That the said commissioners, or a majority of them, as soon as may be, and from time to time, as often as occasion may require, shall meet and consult together respecting the duties reposed in them by this act, and shall appoint a clerk, who shall take an oath, that he will faithfully and impartially execute his said office; and it shall be the duty of the said clerk to enter into a book, to be kept for that purpose, all the proceedings of the said commissioners relating to the said town; and the said commissioners are hereby directed and authorized to ascertain, fix, determine and bound, the different streets, lanes and alleys, in the said town, and also the lots and parts of lots, held in severalty therein, which said determination shall be final, unless controverted by suit at law within five years after passing the same respectively; and the said book shall always be open to the inspection and examination of the said commissioners and inhabitants of Frederick-town, or any other person interested; and the said commissioners are hereby empowered to allow their clerk any sum not exceeding ten pounds current money per year, for his trouble, six-pence for every search, and after the rate of four-pence for every side of one hundred and five words, for entering and copying, and may remove and displace their clerk at pleasure.

Commissioners to consult together respecting their duties, &c.

V. **And be it enacted**, That the said commissioners, or a majority of them, are directed to meet as soon as may be, and determine on the best method and manner of levelling, sloping, lowering, raising, or otherwise rendering convenient, the streets, so as to convey and carry off the waters collecting therein by the most natural and easy communication to the town creek, and to apply any monies that may come to their hands in stoning, causewaying or gravelling them, so as to make the same dry, firm and convenient; and when the streets shall be so amended, the said commissioners, or a majority of them, shall order and direct a proper and due proportion thereof to be marked and divided off for footways by posts, at such proper distances and heights as shall appear to them convenient; and the said commissioners shall direct the footways so posted, to be levelled in conformity with the streets, and paved with flat stone or brick, and such posting and paving shall be performed at the expence of the proprietors of the

And levelling the streets, &c.

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