

C H A P.
XXIV.

aforeſaid, That when and as often as any one of the Commiſſioners and Truſtees ſhall Die, or depart the County or Province, ſo as he cannot execute the Truſt and Authority in this Act reſoſed, one other fit and ſuitable Perſon, actually Living, Inhabiting, and Reſiding in the Town, being a Free-man of the ſame, and ſuch as is capable (either by Land or Eſtate) to ſerve as a Burgeſs, according to the Qualifications expreſſed in the Act of Aſſembly, in ſuch Caſe made and provided, ſhall be choſen in the Room of ſuch abſent or deceased Member, by the Majority of Voices of the Free-men and Inhabitants of the ſaid Port and Town, at ſuch Time and Place within the ſame, by the Commiſſioners and Truſtees as aforeſaid ſhall be appointed for that Purpoſe; of which Time and Place public Notice ſhall be given by the ſaid Commiſſioners.

Their Pow-
ers in pur-
chasing
Lands, &c.

IV. **And** for the encouragement of the Inhabitants of the Town and Port aforeſaid, and to enable them to keep Stocks of Cattle, Horſes or Sheep, or ſuch like neceſſary Creatures for their neceſſary Uſe: **Be it likewiſe Enacted**, That it ſhall and may be lawful to and for the ſaid Commiſſioners or Truſtees, to purchaſe any Quantity or Quantities of Land next adjacent to the Town, and for Town Common; and to ſatisfy and pay for the ſame with Tobacco or Money, that now is, or hereafter ſhall be, raiſed for any Lot or Lots of Land taken up in the ſaid Town; or by any other Money or Tobacco by the free Gift of any Perſon, or otherwiſe accruing to the Uſe of the ſaid Town, or any other lawful Ways or Means whatſoever, ſo that the ſame be no ways Burthenſome or a Charge to the Public.

and valuing
the ſame.

* 1694, cb. 29.

V. **And** in caſe the Owners of any ſuch Land be incapable of making Sale thereof, by any manner of Diſability or Incapacity whatſoever, or wilfully reſuſing the ſame, being offered the full real Value thereof; then, and in ſuch caſes, it ſhall and may be lawful to, and for the ſaid Commiſſioners and Truſtees, to cauſe a Jury of Free-holders next adjacent, to be impannelled, and ſworn to value the ſaid Land according to the Directions and Appointment of a former Act of Aſſembly of this Province, intituled, * *An Act for ſettling Aſſemblies and Provincial Courts, and erecting a Court Houſe of Ann-Arundel Town, in Ann-Arundel County*, for purchaſing and valuing the Town Land and Paſture within the ſame, which Act alſo ſhall be Rules and Directions to the ſaid Commiſſioners and Truſtees for Purchaſing, Valuing and Paying for, the ſaid Town-Common; which ſaid Common, upon their performing the ſeveral Requiſites in the former Law directed, ſhall create and make a good, ſure, and abſolute Eſtate of Inheritance in Fee-ſimple, to the ſaid Commiſſioners and Truſtees, and their Succeſſors for ever, to the only proper Uſe, Benefit and Behoof of the ſaid Town, and Town People, for a Town, and to no other Uſe whatſoever.

Lots how to
be paid for.

VI. **And** the better to enable the ſaid Commiſſioners and Truſtees to purchaſe and pay for the ſame, **be it likewiſe Enacted**, That all Perſon or Perſons holding any Lot or Lots of Land, or that ſhall hereafter take up or hold any in the Town aforeſaid, ſhall, for every Lot of Land he holds, or ſhall hold in the Town aforeſaid, pay to the Commiſſioners and Truſtees aforeſaid, towards the Purchaſing the Town-Common aforeſaid, the proportionable Part of the Value or Purchaſe of the ſaid Town-Common, proportionable to the Quantity of Land ſuch Perſon or Perſons holds in the ſaid Town, and ſhall thereby have Right Commonage upon the ſaid Town-Common, and not otherwiſe. And upon Refuſal of any Perſon or Perſons to pay ſuch his proportionable Part towards the Purchaſe of the Town-Common aforeſaid, being tendered to him, and demanded of him as aforeſaid, it ſhall be at the Liberty of any other Perſon to pay ſuch proportionable Part ſo reſuſed, and ſhall thereby have that Right of Commonage.

Wharfs and
Warehouſes.

VII. **And whereas**, there is a certain Quantity of Land, in the ſaid Port and Town, laid out and aſſigned for Wharfage and Building of Keys and Wharfs