

Property of the Proprietor of the Town Land, in as ample Manner as if the same had never been sold or conveyed. (7.) But if the Owners of such Lots be under Age, or out of the Province, at the Time of such Survey, &c. such Owners have Liberty to improve and build, &c. at any Time within Eighteen Months after arriving at Age, or returning into this Province. (8.) The Commissioners to appoint a Clerk, to make fair Record and Entry of all their Proceedings in a Book, to whom the Surveyor shall deliver a fair Plat of the Lots, &c. which Clerk shall transmit to the Clerk of Kent County the whole Proceedings of the Commissioners, together with the said Plat, to be lodged amongst the County Records. And upon the Decease, &c. of such Clerk, the Commissioners have Power to appoint another, as often as need shall require. (9.) The Commissioners impowered to agree with the Owner of the said Land, not already taken-up, for the Price of the same, &c. in which Case, when the Lots are laid out, they shall set a Price on each Lot not already taken up, which the Taker-up shall pay. But in case they cannot agree, they are impowered to cause the same to be valued by a Jury; and the Payment of such Sum, as such Lot or Lots shall, by the said Jury be adjudged worth, to the Proprietor aforesaid, or a Tender thereof by Persons desirous to take up such Lot or Lots, and Refusal by such Proprietor, and such Payment, or Tender and Refusal being duly proved by the Oath of one or more lawful Witness or Witnesses, before two of the County Justices, by the Person intending to take up the same, and an Entry or Record thereof made by the Town Clerk, and returned by him to be lodged with the other Proceedings in the County Court Office as aforesaid, shall give such Person, paying or tendering as aforesaid, an absolute Estate in Fee-simple in such Lot; such Persons complying with the other Requisites in this Act mentioned. (10.) There being a Quantity of Land left out, in the original Survey, between the Town Line that runs along the River Side and the Water, convenient to build Ware-houses on; the Commissioners are impowered to lay out the Breadth of 60 Feet from the extremity of the Lots next the River, along the River Side, for a Street; and to divide the Strand, lying between the said Street and the Water, into convenient Lots, distinguishing them by certain Numbers, always extending the Town Streets that lead to the River, through the same Strand, to the Water Side; which Lots, being built upon as before directed, within Eighteen Months after taking up the same, and paid for, or Tender of Payment made as before provided, shall be the Right, Property, and Estate of such Persons so taking up, improving and paying, their Heirs and Assigns for ever. (11.) All Persons to have Liberty to take up and enter Lots in the said Town, for the Space of Twelve Months after Survey thereof: But in case all the Lots should not be taken up within 12 Months after the Survey made, the Proprietor shall be no way divested of his Right to such Lots so not taken up. (12.) The Proprietor of the Land not taken up, to have the Preference of taking up any Five Lots he shall think fit, so that he make his Election within Four Days after the Survey be made. (13.) All Possessors of Lots to pay the Right Honourable the Lord Proprietor One Penny Current Money per Annum, for each Lot so taken up, paid for, and built on, for ever: And the Clerk of Kent County to transmit yearly to his Lordship's Agent, an Account of all Lots taken up, &c.

C H A P. XV.

C H A P. XVI.

A Supplementary ACT to the Act entitled, * An Act to limit the Continuance of Actions in several Courts within this Province; and ascertaining the Manner of taking the Evidence of Seafaring Men; and for granting Appeals from the Chancery Court to the Governor and Council. *Lib. L. N^o 5. fol. 369.*

Passed 16th June 1730. * 1721, ch. 14.

WHEREAS the Continuance of Actions depending in any of the Courts of Law within this Province, by an Act of Assembly, entitled, *An Act to limit the Continuance of Actions in several Courts within this Province, and ascertaining the Manner of taking the Evidence of Seafaring Men; and for granting Appeals from the Chancery Court to the Governor and Council,* stands limited to Four Courts, and no longer; which, by Experience, is found to be too short a Time in the High Court of Appeals, that Court not being fixed to any particular Days or Times when it shall be held; so that it may happen, that four or more Courts may be held in One Year; which, if any intervening Accident happens to impede a Trial, does not allow a sufficient Time to finish the same:

Preamble.

II. Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Judges in the said High Court of Appeals, as Judges on all Writs of Error, or Appeals, from the Courts of Common Law in this Province, as often as to them shall seem necessary for the better Administration of Justice, to continue any Appeal, or Writ of Error, now depending, or which hereafter shall be depending in the said Court, for the full Term

Appeals may be continued in the High Court of Appeals for two Years from the End of the Appearance Court.