

Charles-Town aforesaid, shall save such Lot, and transfer to each of the said Persons a Property to their respective and distinct Moiety, so agreed on and entered as aforesaid, in as ample Manner as in the former Law is directed, for giving and securing Title to Persons taking Single or Whole Lots.

C H A P.
XXII.

XXVII. And be it also Enacted, That the Reverend Mr. William Wye, having at the Balloting aforesaid, made Purchase of a Lot in said Charles-Town, he is hereby exempted from forfeiting the said Lot, although not built thereon; any former Law to the contrary notwithstanding.

The Revd.
Mr. Wye's
Lot exempted
from Forfeiture.

XXVIII. This Act to continue for Seven Years, from and after the End of this Session of Assembly, and unto the End of the next Session of Assembly which shall happen after the End of the said Seven Years.

Continuation.

Examined and Compared with the Original Act, REVERDY GHISELIN;
THOMAS BACON.

This Act was farther continued by the additional Supplementary Act of 1750, ch. 12, which Act being made Perpetual by 1753, ch. 28, makes this Act also PERPETUAL.

C H A P. XXIII.

An Act to enable certain Commissioners therein named, to lay out Forty Acres of Land into Eighty Lots, for a Town on Indian River, in Worcester County; as also Forty Acres of Land into Eighty Lots, at the Head of Asseteague Creek, at a Place commonly called The Trap, for a Town. Lib. B.L.C. fol. 303.

Passed 4th
June 1744.

Supplementary Acts 1745; ch. 3; and 1748; ch. 12.

N. B. By this Act (1.) The Commissioners are impowered to buy 40 Acres of Land, at each of the said Places, and cause the same to be laid out into 80 Lots in each of the aforesaid Towns. (2.) The Commissioners to meet on the Lands aforesaid, before the last Day of November next; then and there to treat with the Owners for the Purchase thereof: And in case of Refusal or Disability of the Owners to sell, to cause the same to be valued by a Jury, and whatever Sum the Jury shall assess and award, shall be the Price to be paid to such Owners, &c. (3.) The Commissioners, after such Purchase or Valuation, to cause the same 40 Acres in each Town, to be laid out into 80 Lots, allowing Space for Streets, Lanes, &c. and Number the Lots from One, to Eighty; and the Streets and Lanes to be distinguished by Names, and by Posts set up. (4.) The Commissioners to assess and ascertain the Price of the several Lots, according to their Value, Conveniency, &c. so as that the Prices of all the Lots in each Town may amount to the Sum agreed for, or awarded by the Jury. (5.) The Lands so divided and laid out shall be erected into Towns; and that situated on Indian River, on John Massey's and Thomas Eyddat's Dwelling Plantations, to be called Baltimore-Town; and that at the Head of Asseteague Creek, at The Trap, to be called Newport-Town. (6.) The Owners of the Land to have the first Choice of any Two Lots in each Town, so that such Choice be made within Ten Days after the Survey; after which Time, any Persons to be at Liberty to take up Lots in each of the Towns, paying the Price set thereon. And every Person paying the Price of the Lot by him or her taken up; or proving, to the Satisfaction of the Commissioners, a Tender thereof to the Owner aforesaid, and that the Owner had refused to accept the same; and an Entry of such Payment, or Tender and Refusal being made as hereafter directed, shall invest such Person with an Estate of Inheritance, in Fee-simple, of and in such Lot, to him or her, his or her Heirs and Assigns forever, without any Deed, &c. from such Owner for the same. (7.) None to take up above one Lot within 12 Kalender Months after Survey. (8.) Persons taking up Lots in either of the said Towns shall, within 3 Years after such Taking up, build and finish thereon, one good substantial and tenantable House, with one Brick or Stone Chimney thereto, that shall cover not less than 400 Square Feet of Ground, exclusive of Sheds: And Persons neglecting to build as aforesaid, within the Time limited, shall lose such Lot, and the Estate of such Taker-up shall thenceforth cease and determine: And the Lots so neglected to be built upon, may be taken up by any other Person whatsoever; which second Taker-up, paying the Commissioners the Price thereof; so as aforesaid assessed, and Entry thereof made as aforesaid, and Building thereon as before directed, within the Time before limited after such second Taking up, shall have the like Estate therein as the first Takers-up, (who shall comply with all the Requisites before mentioned) are declared to have; and so, *toties quoties*, until the same Lots be built upon and improved as aforesaid: And the Money paid by such second Takers-up, shall be applied by the Commissioners to the Use and Benefit of the Town. (9.) The Surveyor to make out fair and exact Plats of the Towns, whereby each Lot, Street, Lane and Alley therein, may appear well distinguished by their respective Numbers and Names; and the same Plats, with full and plain Certificates thereof, shall deliver to the Commissioners, to be repositied as hereafter directed. (10.) The Commissioners to employ a sufficient Clerk, and administer an Oath to him for the due Performance of his Office; which Clerk shall find a well bound Book for entering the Proceedings of the said Commissioners in the Premises, and faithfully Register therein the Certificates of the Surveys, and all other the Transactions of the Commissioners in and about the Towns aforesaid. The said Registry, with the Plats and Certificates; being carefully examined by the Commissioners, shall, when completed, be lodged with the County Clerk to be by him kept among the County Records. (11.) Possessors of Lots to pay One Penny Sterling, yearly Rent, for each Lot, to the Right Honourable the Lord Proprietary, his Heirs or Assigns.