

## CHAP. 92.

each lot from the other, having regard to the giving to each lot the same number it was distinguished by when first laid off, or may since have been decided by, and shall cause the said streets and lanes to be named by certain names; and the said commissioners, or a majority of them, shall have full power to adjourn from day to day till the duties imposed by this act shall be and are fully performed.

By 1816, ch. 92, commissioners appointed to revise and correct errors appearing in the original plot of the town.

Lots, when surveyed, erected into a town.

3. AND BE IT ENACTED, That the said lots, when they are surveyed and laid out by the commissioners aforesaid, or a majority of them, shall be and are hereby erected into a town, to be called and known by the name of Cumberland (a), and the said commissioners, or a majority of them, are hereby directed to return a correct certificate and plot of the said lots to the clerk of Allegany county court, who is hereby required to record the same among the land records of said county, and keep the original certificate and plot in his office, and a certified copy of the original, or record, or any part thereof, shall be conclusive evidence as to the bounds and lines of the said town, and the lots thereof.

(a) By 1816, ch. 79, commissioners appointed to lay off an addition to the town.

Summonses may be issued for witnesses concerning bounds of lots, &c.

4. AND BE IT ENACTED, That the commissioners, or a majority of them, are hereby authorised and required, having first given fifteen days notice of the time and place of their meeting, by public advertisement, to issue summonses for such person or persons as may be applied for by any of the proprietors aforesaid, which said witnesses are hereby required to attend, under the penalty of five dollars for every neglect or refusal, and to examine them upon their corporal oath, or affirmation, as the case may be, touching and concerning their knowledge of the bounds, limits and extent, of any of the lots, streets and lanes, of the said town, and to establish the same accordingly, and each witness attending under any summons issued as aforesaid shall be entitled to receive fifty cents for every day he shall so attend.

Boundary stones to be set up.

5. AND BE IT ENACTED, That it shall be the duty of the proprietors of the lots, or any part of a lot, in the said town, to provide boundary stones, and to have them marked and set up at the beginning of their respective lots, in the presence of the said commissioners, or a majority of them, which shall thereafter be taken and deemed to be the true beginning of said lots, or any of them.

Vacancies, how to be filled.

6. AND BE IT ENACTED, That if any of the commissioners shall die, refuse, neglect, or be rendered incapable to act, the remaining commissioner or commissioners may appoint some other person in the place of the person or persons who shall so die, refuse, neglect, or be incapable to act.

Allowance to commissioners.

7. AND BE IT ENACTED, That each of the said commissioners shall be allowed one hundred and fifty cents for each and every day they shall attend as commissioners aforesaid, and that the surveyor shall be allowed one hundred and seventy-five cents for each and every day he shall be employed by the commissioners for the purpose aforesaid.

Expenses, how to be paid.

8. AND BE IT ENACTED, That all expenses incurred in the execution of this act, and allowed by the commissioners, shall be paid, one half by the original proprietor or grantor, and the other half by the present proprietors, in the proportion to the number of lots