

III. And be it enacted, That Joseph Richardson, junior, William Whitely, John White, Philemon Downes, and David Robinson, shall be, and are hereby appointed commissioners for Caroline county aforesaid; and in case any of the said commissioners should die, refuse to act, or remove out of the county, that the others, or the major part of them, shall elect other persons as commissioners in their room, and they, or any three or more of them, shall be, and they are hereby authorized and required to demand, sue for, recover and receive, all monies or tobacco heretofore levied and collected, and the same, when so as aforesaid received, to apply to the uses by this act directed; and the said commissioners, or the major part of them, are hereby authorized and required to contract and agree for the building of the said court-house and prison, at the place aforesaid.

CHAP.
XXXI.
Commissioners appointed,
&c.

IV. And be it enacted, That the said commissioners, or a major part of them, shall have full power and authority, at any time before the first day of June next, to agree with the owner or owners of the land at the place aforesaid, for the purchase of two acres thereof, most convenient and proper for a court-house and gaol to be erected on, and if such land can be purchased, a deed shall be taken for the same from the owner or owners to the justices of Caroline county, and their successors, for ever; and if the commissioners aforesaid, cannot purchase the lands aforesaid from the owner or owners, by the day aforesaid, or the owner or owners should be under any disability to convey the same, then the said commissioners, or a majority of them, shall, as soon as may be thereafter, cause to be surveyed, laid out, and plotted, two acres of land at the place aforesaid, the most convenient for the purposes aforesaid; and the said commissioners, or a majority of them, by warrant under their hands, direct the sheriff of the said county to summon, and cause to come at the place aforesaid, on a certain day in such warrant to be mentioned, eighteen good and sufficient men of the county aforesaid, none of whom to be interested in the said land, or related to the owner or owners; and thereupon the sheriff of the said county shall summon such eighteen good and sufficient men aforesaid, under the penalty of twenty pounds current money; and every person so summoned shall attend agreeably to the summon, unless prevented by sickness or other unavoidable accident, under the penalty of five pounds current money; and the persons so summoned, shall, at the place aforesaid, on the day mentioned in the warrant aforesaid, or on any other day to be appointed by the said commissioners, be balloted by the said commissioners, or a majority of them, and the twelve first drawn shall be a jury to value the land so laid out by the commissioners; and each of them shall take an oath, to be administered by any one of the said commissioners, well and truly to value the said land laid out by the commissioners, according to its actual and real worth, without favour, partiality or prejudice; and the said jury, having taken the oath aforesaid, shall value the said land so laid out by the commissioners for the purpose aforesaid, and shall enter their valuation in writing, and subscribe their names to the same; and the valuation of the said jury, or a majority of them, shall be binding on all parties; and upon the payment or tender of the sum at which the jury aforesaid value the land aforesaid to the owner or owners thereof, by the commissioners, such land shall be vested in the justices of the said county and their successors, for ever, for the purposes aforesaid; and if by any accident the land aforesaid shall not be valued under the warrant first issued for the purpose aforesaid, the said commissioners, or a majority of them, shall issue another warrant for the purposes aforesaid, upon which there shall be similar proceedings as above directed by the first warrant, and so roties quoties until the said land is properly valued; and the money agreed to be paid for the said land by the commissioners, or the value ascertained by a jury as aforesaid, shall be paid out of the first money which comes into the hands of the said commissioners in virtue of this act; and the said

Who are to agree for land,
&c.