

And in case any person or persons shall wilfully refuse to make sale of any Lands herein before mentioned to any person or persons, that through Nonage, Coverture, *Non sane Memoriae*, or any other disability or impediment whatsoever, he or she are disabled to make such sale as aforesaid, that then the Commissioners aforesaid nominated and appointed in each respective County or the major part of them, shall be by vertue of this Act authorized, impowered and required to issue out Warrants under their Hands & Seals to the Sherriffs of their severall and respective Countys, which said Sherriffs are also hereby required upon Reccit of such Warrants to impanel and return a Jury of the most substantial Freeholders Inhabitants within the said County, to be and appear before the said Commissioners at a certain day and time by them to be limited, which Jury upon their Oaths to them to be administered by the said Commissioners, or the major part of them, shall enquire, assess and return what Damages and Recompence they shall think fit to be awarded to the Owners of such Land, and all persons interested therein, according to their severall and respective Interests, and what Sum of Tobaccœ the said Jury shall adjudge the said Land to be worth, shall be paid to the Owners and all persons interested therein, by such person or persons as shall take up the said Lotts proportionably to their Lott or Lotts.

And the said Commissioners or the major part of them are hereby impowered by Warrant under their Hands and Seals to Summon the Queens Surveyor of each respective County to survey and lay out one hundred Acres of Land in the places herein before mentioned and appointed in manner and form aforesaid, and the same to divide into one hundred equal Lotts as the said Commissioners, or the major part of them shall direct, with convenient Streets, Lanes and Allyes as aforesaid, as near as may be to the benefit of the taker up of each respective Lott, and when the said one hundred Acres of Land is so surveyed, laid out, valued and divided as aforesaid, that then whosoever shall make choice of any Lott and make Entry thereof with such person as by the said Commissioners or the major part of them shall be appointed to keep the Book for Entry of such Lotts, and pay or give security for payment of such Sum of Tobacco as shall by the discretion of the said Commissioners or Jury be rated upon such Lott, and payable to the Owner of such Land, and on such Lott so as aforesaid taken up, build one sufficient twenty Foot square House, at least within twelve months after taking up such Lott or Lotts, each respective Lott to be held of the Lord Proprietary of this Province, his Heirs & Assigns, to such taker up and builder, his her or their Heirs or Assigns for ever, at and under the yearly Rent of one Farthing Currant Money of this Province for each respective Lott, the Land being old Rents; and half penny for each Lott where the Lands was taken up by new Rents; and the same, or any other Building or manner of Settling upon such Lott according to the direction of this Act, shall invest the said taker up and builder upon such Lott his Heirs and Assigns of a good indefeazable Estate of Inheritance to him and his Heirs for ever. and shall barr the Owner or Owners or any person or persons interested in the said Lands, whether living within or without this Province, and even the Lord Proprietary of this Province his Heirs and Assigns saving the Rents in and by this Act reserved to be paid to his said Lordship his Heirs and Assigns, and the Tobacco to be paid by such taker up and builder as aforesaid to the Owner of such Land, and likewise upon tender of payment, & refusal with proof of the tender & refusal of such tobacco as aforesaid such building as aforesaid shall be binding to all intents & purposes against the said partys their heirs & assigns so as aforesaid refusing or others claiming any title or Interest in the said Lands & Grounds & shall be full authority to the said Commissioners or the major part of them to cause the same to be Converted to the Uses and Purposes aforesaid, and the said Commissioners or the major part of them in each respective County, shall nominate & appoint a person qualified to keep a Book, to enter down the proceedings of the said Commissioners, and each persons choice of any respective Lott, that thereby it may appear what Lotts are taken up, and what remain undisposed of, and the Commissioners Proceedings therein likewise.

And in case any difference happen to arise in or about the taking up the said Lotts, or the particular Dividents hereby allotted, or any other matter referring to the Execution of this Act, the said Commissioners in each respective County, or the major part of them shall immediatly, without any formality of Law (*Ore tenus*) hear and determine the matter of difference according to their Discretions, and their Judgments shall be final.

And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid that the Surveyors shall have and receive for Surveying and laying out each respective Town into Streets and Lotts as aforesaid, the Sum of one thousand pounds of Tobacco and no more, to be paid and allowed him by each respective County.