

C H A P.
XI.

ney at least; and on neglecting to build as aforesaid, the Right, Title and Property of such Owner to such Lot, at the Expiration of the said Two Years, shall cease, and the same Lot or Lots become the Property of the Proprietor of the Town Land, as if the same had never been sold or conveyed. But Owners of such Lots, if under Age, or beyond Sea, shall have Liberty to improve and build on their Lot as aforesaid, at any Time within Two Years after such Owner's arriving at full Age, or returning into this Province. (4.) The Commissioners to appoint a sufficient Clerk, who shall make a fair Entry of all their Proceedings in a Book, to whom the Surveyor shall deliver a fair Plat of the Lots, &c. which Plat, with the Proceedings, shall be transmitted to the Clerk of Somerset County, to be lodged among the County Records. And upon the Death or Resignation of such Town-Clerk, the Commissioners to nominate and appoint another, as often as need shall require. (5.) The Commissioners impowered to agree with the Proprietor of the Land, not already taken up, for the Price of the same; and, in case of such Agreement, to set a Price on each Lot, not already taken up or purchased, for which the Taker-up shall pay: But in case they cannot agree for the said Ground, they shall 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 such Person or Persons who shall be willing and 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 Witnesses, before Two Justices for the said County, by the Persons intending to take up the same, and an Entry made thereof by the Town-Clerk aforesaid, and returned by him to be lodged, with the other Proceedings, in the County Court Office as aforesaid, shall give the Person, paying or tendering as aforesaid, an absolute Estate in Fee-simple in such Lots, they complying with the other Requisites in this Act mentioned. (6.) All Lots hereafter to be taken up, shall be built on as aforesaid, within 18 Months after taking up; which Lots, so built on and paid for, &c. shall be the Right, Property, and Estate of such Persons so taking up, improving and paying, their Heirs and Assigns for ever. (7.) Any Persons may take up Lots, and enter the same, within Two Years from the Time of Survey: But in case all the Lots be not taken up in Two Years, then the Proprietor shall be no way divested of his Right to such Lots as shall not then be taken up. (8.) The Proprietor of the Lots, not already taken up or held, shall have the Preference of taking up any Five Lots, so that he make his Election within 4 Days after the Survey made. (9.) Possessors of Lots to pay One Penny Sterling, *per Annum*, for each Lot so taken up, paid for, and built upon, to the Right Honourable the Lord Proprietary, and his Heirs for ever. (10.) A Saving of Rights to the Crown, the Lord Proprietary, &c. and all others not mentioned herein.

C H A P. XII.

Passed 29th October 1742. *An Act to continue such Causes, now depending in the Provincial Court, as by Law ought to have been determined October Provincial Court, One Thousand Seven Hundred and Forty-two. Lib. B.L.C. fol. 253.*

Viz. It being impossible (by means of the Assembly's Continuance) to finish such Business in that Court as ought to have been determined by the Laws now in being, &c.

C H A P. XIII.

Ditto. *An Act for laying out and erecting a Town, on the South side of the Eastern Branch of Patowmack River, in Prince George's County, near a Place called Garrison-Landing. Lib. B.L.C. fol. 254.*

N. B. By this Act, (1.) Commissioners impowered to purchase 60 Acres of Land at the Place aforesaid, and cause the same to be surveyed and laid out into 60 convenient Lots, to be erected into a Town. (2.) The Commissioners to meet on the Land, &c. and agree for the same with the Owners thereof (if it can be done on reasonable Terms) if not, or in case of Non-age, &c. or other Disability, then to cause the same to be valued by a Jury, &c. and what Sum such Jury shall assess, is hereby declared to be the Value and Price to be paid to such Owner or Owners. (3.) This done, the Commissioners to cause the 60 Acres to be surveyed, divided and laid out, as near as may be, into 60 equal Lots, allowing sufficient Space for Streets, Lanes, &c. and the Lots to be Numbered from 1, to 60, and the Streets, &c. to be distinguished by Names, and by Posts set up towards each of them. (4.) The Commissioners to ascertain the Price to be paid for each of the Lots, according to the Value, Conveniency, &c. thereof; so that the Prices of the whole Lots, added together, may amount to the Value of the Land agreed for, or assessed, as aforesaid. (5.) The Town to be called *Bladenburgh*. (6.) The Owner of the Land to have Choice of any Two Lots, provided such Choice be made in Ten Days after Survey: After which Time, any Persons may take up Lots, paying the Owners of the Land the Value assessed thereon, and every Person, so paying the Price of the Lot by him or her taken up, or proving to the Satisfaction of the Commissioners, that he or she had tendered the said Price to the Owner aforesaid, and that such Owner had refused to accept the same; and an Entry of such Payment, or Tender and Refusal being made, as hereafter directed; such Person, by virtue of such Payment, or Tender and Refusal, and Entry made thereof, and this Act, shall be fully and absolutely invested in an Estate, in Fee-simple, in such Lot, to him, his Heirs and Assigns for ever, without any Deed, Conveyance, &c. from the Owner. (7.) No Person to take up more than One Lot during Twelve Months after laying out. (8.) Every Person taking up Lots, shall, within Eighteen Months after taking up, and Entry made thereof as aforesaid, build and finish thereon, one good, substantial, and tenantable House, with one Brick or Stone Chimney thereto, that shall cover 400 square Feet of Ground. And every Taker-up neglecting to build as aforesaid (within the Time limited) on any Lot, shall lose such Lot, and his Estate therein shall thenceforth cease and determine: And such Lots so neglected to be built upon, may be taken up by any Person whatsoever: Which second Taker-up, paying the Price assessed thereon to the Commissioners, and building thereon as before directed, within the Time limited, after such second Taking-up, shall have the like Estate in such Lot or Lots as the first Takers-up, &c. are