

C H A P.
XXIII.

sons authorized by them, for the Price or Value thereof, in Current Money of *Maryland*, at any Time before the Twentieth Day of *May* aforesaid, but if it shall so happen, that the said Commissioners cannot agree with the said Proprietor or Proprietors, Owners, or other Persons, upon reasonable Terms, or that by reason of Absence, Coverture, Infancy, or other Disability or Impediment, such Agreement cannot be made, that then, and in any such Case, the said Commissioners, or the major Part of them, are hereby authorized and empowered to issue their Warrant, directed to the Sheriff of the County aforesaid, who is hereby required to execute the same, commanding him to summon Twenty-four of the best and most substantial Free-holders of the same County, in which case, no Person who is by Law capable of giving a Vote for, or being elected as a Delegate, shall be exempted, to be and appear before the said Commissioners, or the major Part of them, on the Land aforesaid, on a certain Day in such Warrant to be mentioned, which Free-holders being by them the said Commissioners, or the major Part of them, charged and sworn, shall, upon their Oath, enquire, assess, and return, what Damages and Recompence, in Current Money aforesaid, they shall think fit to be awarded for the aforesaid Five Hundred Acres of Land, to the Proprietor or Proprietors, Owner or Owners thereof, or other Persons interested therein; and whatever Sum or Sums of Money the same Jury shall so assess and award as aforesaid, shall be, and is hereby declared to be the Value and Price of the same Five Hundred Acres of Land.

The Price of
Lots how to
be ascertain-
ed.

V. And be it further Enacted, That the Commissioners aforesaid, or the major Part of them, shall apportion, assess, and fix, the Price of all and every of the Lots aforesaid, according to the Value thereof, having regard to the Conveniency and Situation of each respective Lot, so always as the Prices of all the said Lots, added together, may make up the Sum so as aforesaid to be awarded by the Jury aforesaid, or the Sum by them agreed for as aforesaid, and no more; and that the Prices so set and fixed, shall be the Sums to be paid by the Takers-up of each of the said Lots.

The Town
to be called
*Charles-
Town*.

VI. And be it further Enacted, by the Authority aforesaid, That Two Hundred Acres of Land, so as aforesaid to be surveyed and laid out into Lots, immediately after the same shall be surveyed and laid out, shall be, and is hereby made and erected into a Town, and shall be called *Charles-Town*; and that the other Three Hundred Acres aforesaid, to be laid out for a Common, shall and is hereby made and declared to be the Common of the said Town; and that all and every the Inhabitants of the said Town shall, at all Times, have and enjoy the free Use and Benefit thereof in Common.

The Owner
to have
Choice of
two Lots.

VII. And be it further Enacted, by the Authority aforesaid, That the Proprietor or Owner of the Land aforesaid, to be erected into a Town, shall either by him or herself, or by any other Person in his or her Behalf, have Liberty to make Choice of any Two of the aforesaid Lots, before any of the said Lots shall be taken up by any other Person or Persons; Provided such Choice shall be made within Ten Days after the Land aforesaid shall be surveyed and laid out, and not otherwise.

The Lots to
be taken up
by Ballot.

VIII. And to prevent any Partiality or Contest in the first taking up of the Lots aforesaid; Be it Enacted, by the Authority aforesaid, That the Commissioners aforesaid, or the major Part of them, as soon as conveniently may be, after the Choice aforesaid shall be made by the Proprietor of the same Land as aforesaid, or after the Expiration of the Ten Days aforesaid in case no such Choice shall be made, and after the Plats and Certificates aforesaid shall be made, and returned as aforesaid, shall cause Advertisements to be set up at all public Places, as well in *Cecil* County aforesaid, as in the neighbouring Counties in *Maryland*, and other adjacent Places, thereby giving Notice, that at a certain Day therein to be mentioned, not less than Three Weeks, nor more than Six Weeks, from the Date of such Advertisements, the Lots
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