

1708.

*Act for Advancement of Trade, and erecting Ports and Towns*; And one other Act made at a General Assembly of this Province, held at the Port of *Annapolis* the twenty Ninth Day of November, Anno Dom. One Thousand Seven Hundred and Eight, entituled, *An Additional Act to the Supplementary Act for Advancement of Trade, and erecting Ports and Towns within this Province, and for sale of some Publick Lands and Buildings in the Town of St. Mary's, in St. Mary's County*, as by the several Acts of Assembly aforesaid, remaining upon Record in the Secretary's Office, may appear, relying and depending on the Benefits and Privileges in the said Laws granted, did enter and build upon such Lots, according to the directions of the said Laws.

Confirm'd to those that comply'd therewith

*Be it therefore Enacted by the Authority, Advice and Consent aforesaid,* That all and every Person and Persons, that, during the Continuance of the before-mentioned Laws, did take up a Lot or Lots, and thereon built according to the dimensions prescribed by the said Laws, or any of them, in any Town-Land laid out and allotted for a Town by the former Laws, or any of them, their Heirs and Assigns, shall have, hold and enjoy a good, sure and Indefeazable Estate of Inheritance in Fee-simple, of, in and to such Lot and Lots so taken up and built upon, as aforesaid.

But on non-payment, Owners may have Action of Debt.

*Provided,* That where the Owner of any Tract of Land, laid out for a Town, by any of the aforesaid Acts, is unpaid for, any Lot taken up and built upon, according to the directions of the said Laws, such Owners may, after request made, have an Action of Debt for the value of such Lot, according to the Value of the Commissioners or Jurors Empowered to Value the same by such former Law, against any Taker up or Owner of any such Lot or Lots, that hath not paid for the same, his Heirs, Executors or Administrators, in any of his Majesty's Courts of Record within this Province, that can hold Plea of the same.

The Right of Richard Bennet Esq; saved.

*Provided further,* That this Act, nor any thing therein contained, shall extend, or be construed to extend, to prejudice the Right of *Richard Bennet, Esq;* to such part of the Land laid out for a Town in *Worton Creek* in *Kent County*, whercon Houses, Orchards and Improvements were at the time of laying out that Town.

Persons that paid for and have not built on Lots, by Occasion of Disallowance of the Act, to be repaid.

*And be it further Enacted by the Authority, Advice and Consent aforesaid,* That where any Person or Persons whatsoever have taken up any Lot or Lots by Virtue of the before recited Acts of Assembly, since the first Day of *August*, One Thousand Seven Hundred and Nine, and paid for the same to the Owner, but not built thereon, being discouraged by her late Majesty's Disallowance of the said Acts, shall and may, by Virtue of this Act, have the Money or Tobacco repaid him or them by the Person or Persons that received the same, their Executors or Administrators, and for Non-payment, after demand made, to recover and sue for the same in any Court that may hold Plea thereof.

The Rights of Communities sav'd

*And be it further Enacted by the Authority, aforesaid,* That all and every Lot or Lots, parcel or Portion of Ground Assigned to the Use of any Community, and paid for, and built upon, according to the directions of any the aforesaid Acts, before her said Majesty's Disallowance to the said Acts were notified, shall remain to such Community for whose Use it was built, her said Majesty's Disallowance of the said Acts afterwards notwithstanding.

*And whereas* sundry Persons have taken up Lots in divers Towns of this Province, and have begun to build, so that they have erected Frames, tho' not quite-finished their Houses, according to the directions of the aforesaid Town-Laws.