

cause the same to be surveyed; and after Survey so made, shall cause the Land to be marked, staked, and divided into convenient Streets, Lanes, and Allies, with other publick Places to be left, on which may be a Church, Chapel, Market-House, or other publick Building; and the remaining Part of the said One hundred Acres to be divided into One hundred equal Lots, marked on some Posts or Stakes towards the Streets, or Lanes, with Numbers 1, 2, 3, 4, and so to an Hundred; out of which Lots the Owner of such Lands shall have the first Choice for One Lot, during the Space of One Year, after the said Twenty fifth Day of *February*; Except his Excellency *Francis Nicholson* Esq; Governor of this Province, who shall have the next immediate Choice of One, Two, or Three Lots in each or either of the said Towns, if his Excellency so please; after which the Lots shall be taken up by the Inhabitants of the Counties only, during Six Months after laying out the same: And if the Inhabitants shall not take up the same Lots in the time aforesaid, it shall be then free for any Person or Persons whatsoever, to take up the said Lot or Lots, paying the Owner proportionably for the same.

AND in case any Person or Persons shall wilfully refuse to make Sale of any such Land therein before mentioned; or any Person or Persons, through Nonage, Coverture, or *Non sana memoria*, or other Impediment or Disability whatsoever, that then the Commissioners aforesaid, nominated for each respective Town, are hereby authorized, by Virtue of this Act, to issue out Warrants to the Sheriffs of the said Counties, to empower them to impanel and return a Jury of Freeholders to appear before the said Commissioners, which Jury, upon their Oaths to be administered by the said Commissioners, are to enquire and assess such Damages and Recompense, as they shall think fit to be awarded to the Owners and all Persons interested, according to their several and respective Interests in the said Land, or any Part thereof; and what Sum of Tobacco the said Jury shall adjudge the said Land to be worth, shall be paid to the said Owners, and Persons interested, by such Person or Persons as shall take up the said respective Lot or Lots, proportionably thereunto. And the said Commissioners, or the major part of them, are hereby empowered, by respective Warrants under their Hands and Seals, to summon the Surveyor General, or the Surveyor of the County, to survey and lay out the said One hundred Acres in the Places before mentioned, in Manner and Form aforesaid, to be marked and staked out, as aforesaid; and when the same is so surveyed, laid out, and valued, as aforesaid, that then whosoever shall make Choice of any such Lot, as aforesaid, and make Entry thereof before and with the Officer or Person, as by the Commissioners shall be appointed to keep the Book for Entry of the same, and pay such Sum or Quantity of Tobacco, as shall by the Discretion of the Commissioners be rated upon such Lot, and payable to the Owner of the said Land; and on such Lot shall build One Twenty Foot Square Dwelling-house at least, within Twelve Months after taking up the same, unless such Building be larger than herein expressed, shall, by Virtue thereof, and of the Building and Finishing, as aforesaid, invest the Taker up, and Builder, as aforesaid, with an Estate of Inheritance, in the said Lot, to him, his Heirs and Assigns, for ever, and be a perpetual Bar to the Owners, and Persons interested in the said Land, either within or without this Province, even against his Lordship, the Right Honourable *Charles* Lord Baron of *Baltimore*, Lord Proprietary of this Province, his Heirs and Successors: Yielding and paying to the said Lord Proprietary, his Heirs and Successors, for ever, the Annual Rent of One Penny, current Money, for each respective Lot, as aforesaid: And that the Surveyor of each Town and Port, as aforesaid, shall have and receive such Fees and Rewards for laying out and staking the Towns and Lots, as aforesaid, as the said Commissioners shall allow and settle, and no more. And any Person or Persons that shall build and inhabit in such Port or Town, and shall owe any Sum or Sums of Tobacco, and will pay the same in such Town, he shall be allowed