

1729.

JULY.

# CHARLES LORD BALTIMORE.

N. B. By this act, 1. Certain commissioners are appointed and empowered to purchase (by agreement, or valuation of a jury,) sixty acres of land at the place aforesaid, and to cause the same to be surveyed and laid out in the most convenient manner, so as to adjoin to and encompass the land belonging to Port-Tobacco church and the court-house. 2. One acre to be laid out for a market-place, and the remaining 59 acres to be divided into 100 lots, allowing convenient streets, &c. of which lots the owner of the land to have his choice of two, provided he make his choice in 15 days after laying out the town, and the remaining lots may be taken up by any inhabitants of the county, no person to take up more than one lot within the first four months; and in case the said inhabitants shall not take up the lots within the said time, then any other persons may take up the same. 3. The damage or recompence assessed by the jury, or the sum agreed for by the commissioners, shall be paid to the owner of the land by persons taking up lots, proportionably to their lots. 4. Every person taking up any lot shall build thereon, within 18 months from the time of taking up, a house to cover 400 square feet, exclusive of beds. 5. All the houses to be built on the edge of some street, lane or alley, and to front the same. 6. The commissioners to return their proceedings to the county clerk (within 10 days after laying out the town,) who shall enter the same in the land records, and file the original report. 7. Persons wanting lots shall apply to the said clerk, who shall enter their names in the records, with the day of the month, &c. and number of the lot or lots to taken up, and the person causing such entry to be made, and building on such lot, according to this act, shall be vested with a good, sure, and indefeasible estate of inheritance, in fee-simple, of, in, and to the lot or lots so entered and built upon. 8. Persons taking up lots, and not building thereon according to this act, shall entirely lose all right, title, estate, &c. thereon, and any person whatever may take up such lots, making entry as before directed, and paying the sum originally assessed upon such lots to the commissioners, &c. for the public use and benefit of the town; and such second taker up, by virtue of such entry and payment, and building on such lot (according to the directions of this act,) within 18 months from the date of such second entry, shall be vested with the same estate as is by this act settled on the first taker up. 9. In case any of the lots remain untaken up at the end of seven years from laying out the town; then the first owner of the land shall be possessed and interested in the said lots as in his first and former estate. 10. The town to be called Charles-town, and by no other name or distinction. 11. This act not to prejudice the rights of any persons who have complied with the requisites of the act, whereby part of the said land was actually surveyed and laid out into lots, and then called Chandler-town, of their title to or inheritance of the said lots. 12. Saving to the crown, the lord proprietor, &c. their several and respective rights.

## C H A P. VII.

Passed 8th of August, 1729.

An ACT empowering and directing the justices of the several counties within this province to levy any quantity of tobacco, not exceeding ten pounds per poll, on the taxable persons of any parish in each of their respective counties, on application to them made by the vestry and churchwardens of any parish. Lib. L. No. 5. fol. 266.

## C H A P. VIII.

An ACT for the relief of creditors, and to prevent frauds and deceits occasioned by secret sales, mortgages, and gifts of goods and chattels. Lib. L. No. 5. fol. 267.

Preamble.

WHEREAS divers persons being indebted to several of the inhabitants of this province, and others his majesty's subjects, have run away, without making any satisfaction to their creditors, and either carried their substance with them, or lodged the same in the hands of some persons in trust to their own use, or made secret and fraudulent sales thereof, to the great prejudice of creditors, and the discouragement of trade; for remedy whereof,

Justice, on application, may issue his warrant, &c.

II. BE IT ENACTED, by the right honourable the Lord Proprietary, by and with the advice and consent of his lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That when and as often as any provincial justice, or justice of the peace, shall be informed upon oath, by the testimony of one creditable witness, or by any other probable way, that any person or persons is or are actually run away, or removed in a secret manner from the place of his, her or their abode, and shall have carried, or shall be about to remove and carry away any part of his, her or their substance, to deceive his, her or their creditors, or abscond or fly from justice, that it shall and may be lawful for such justice, upon application to be made to him by any creditor or creditors of such runaway or absconding person, and making it appear to such justice that such runaway or absconding person, is really and bona fide indebted to the person or persons making such application, and in how much, it shall and may be lawful for such justice to issue his warrant to the clerk of the county court, or provincial court, as the case shall require, to issue attachment for what such creditor or creditors shall make appear to be due or owing to him, her or them as aforesaid; by virtue of which warrant, and this act, it shall and may be lawful for every such clerk to issue attachment or attachments in the usual form for the debt or damage that shall be so proved, and the incident cost and charge for such creditor or creditors, against such runaway or absconding person, to be directed to the sheriff or coroner, as the case shall require, any law, usage or custom, to the contrary notwithstanding.

This section is repealed by June, 1773. ch. 13.

Same proceedings, &c.

III. AND BE IT FURTHER ENACTED, That the same proceedings shall be had on all attachments to be so issued, and security given on condemnation of any effects that shall be so attached, as are directed