

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 four 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.

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. BLC. fol. 253.

Passed 29th of October, 1742.

C H A P. XIII.

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. BLC. fol. 254.

N. B. By this act, 1. Commissioners empowered to purchase sixty 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 Bladensburg. 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 declared to have, and so, *toties quoties*, until the said lots shall be built on and improved as aforesaid. 9. The money so paid for lots, not built on and improved by the first or other takers up, &c. shall be applied to such purposes for the benefit of the town, as to the commissioners shall seem meet. 10. The surveyor shall deliver to the commissioners a fair and exact plot and survey of the town, whereby each lot, street, &c. may appear to be well distinguished by their respective numbers and names, together with a full and plain certificate, to be entered and deposited as hereafter directed. 11. The commissioners to appoint a sufficient clerk, and administer an oath to him for the due performance of his office, who shall find a good, well bound book, for entering their proceedings, and enter therein the certificate of the survey aforesaid, the prices of each lot, the name of the owner, and time of its being taken up and paid for, or of the tender and refusal as aforesaid, and all other transactions, &c. of the said commissioners in and about the town, which registry, together with the plot or survey of the said town, being carefully examined by the commissioners, after the same is completed, shall be lodged with and delivered to the county clerk, to be kept among the county records. 12. The commissioners to ascertain the fees to be paid to their clerk for the several services by him done by the persons taking up lots. 13. The possessors of lots to pay to the lord proprietary the yearly rent of one penny sterling for each lot. 14. A saving of rights to the crown, the lord proprietary, all bodies politic and corporate, and all others not mentioned in this act.

C H A P. XIV.

An ACT to empower and direct the clerk of Somerset county to enter and record amongst the said county records a deed of bargain and sale from John Martin to James Martin, of a lot of land therein mentioned. Lib. BLC. fol. 257. A Private Act.

C H A P. XV.

An ACT to enable the justices of Baltimore county court to assess and levy on the taxable inhabitants of St. Paul's parish, in the said county, a quantity of money for the uses and purposes therein mentioned, and also to divide the said parish, and for erecting part thereof into a new one. Lib. BLC. fol. 258.

N. B. By this act, 1. Certain persons were empowered to receive voluntary subscriptions from the parishioners, for the purchasing two acres of land, and building thereon a chapel of ease, for the poor inhabitants; and in case such voluntary contributions should not be sufficient, then were the county justices empowered, (at the instance of the vestry,) to assess on the taxable inhabitants of the parish any sum, not exceeding £.133 6 s in any one assessment, nor for more than three assessments, to be paid