

...thereof to remain on the door of the said store-house; and that the said commissioners, or the major part of them, shall have power to lessen the said rates at any time by such order as shall appear to them necessary.

XVI. AND BE IT ENACTED, by the authority, advice and consent aforesaid, That the said wharf shall be kept clear from being incommoded by the long-lying of staves or other lumber thereon; and that no such lumber shall be suffered to lie thereon longer than six days, without permission of the said wharvinger, or two of the commissioners aforesaid; but the persons owning the same, after notice given by the said wharvinger, shall remove the same in three days after such notice, on penalty of five shillings money aforesaid, to be recovered before a single magistrate, to be applied to the uses aforesaid.

Wharf to be kept clear, &c.

XVII. AND BE IT FURTHER ENACTED, by the authority aforesaid, That the said commissioners, or the major part of them for the time being, shall have power to apply and set apart any part of the public squares or vacancies to the use of any religious society or persuasion, for the building thereon any house or houses for public worship; and to such other public uses as to them, or the major part of them, shall appear to be for the interest, profit and conveniency of the inhabitants of the said town, and shall also have power to lease any part or parcels of the said squares or vacancies laid out and reserved for public uses, for any term not exceeding twenty-one years, or three lives, for an annual rent, and shall not otherwise alienate any of the said squares or vacancies; all which rents and profits arising, the commissioners shall from time to time account for in the manner herein before expressed, to be applied to the use of the public of Charles-town aforesaid.

Commissioners to have power, &c.

XVIII. AND to the end that timber may be preserved for the public use, such as fencing in all or part of the common, the raising of the wharf, or other public occasions, BE IT ALSO ENACTED, that the said commissioners, or the major part of them, are hereby empowered, if they see cause, to mark or lay out in the common of Charles-town aforesaid the quantity of one hundred acres, which shall appear to them to be best timbered and convenient, and that no timber or other trees growing or standing within the bounds thereof, above the girt of eighteen inches, to be taken or measured at the height of three feet from the ground, shall be cut down by any of the inhabitants of the said town, or others, without leave of the said commissioners, or the major part of them; on the penalty of ten shillings money aforesaid for every tree so cut down, to be recovered before a single magistrate of said county, one half of which forfeiture to be paid to the informer, the other half to the commissioners, to be applied and accounted for as aforesaid.

To lay out land in the common, &c.

XIX. AND, whereas notwithstanding the plenty of timber near the said town, and the great conveniencies of forges, for the encouragement of building sea-vessels and others, and thereby settling in the said town many useful tradesmen and labourers; yet for want of sufficient depth of water near the shore, within any part of the bounds of the said town and common, the proceeding in that useful and necessary branch of trade is altogether impracticable: And whereas, in the opinion of skilful workmen, there is but one place near the boundaries of said town, called Seneca Point, at present possessed by a certain Edward Oldham, fit and capable for launching ships or other vessels, if a property was to be had thereto, so as not to be left to the will of any person to frustrate so public a good; BE IT THEREFORE ENACTED, That the said commissioners for said town are hereby empowered to fix upon any place, at or near said Seneca Point, convenient for a ship-yard to the said town and common, and to agree for two acres of land with the owner or owners thereof, which if they cannot do upon reasonable terms, then they shall cause a jury, in the usual manner, to be summoned and impannelled by the sheriff, to value the said land; which value, so assessed, the said commissioners shall tender and pay the said owner or owners out of the public money collected and belonging to the public of said town, and the said two acres of land shall for ever be deemed to belong to the public thereof; in satisfaction whereof, all persons building any ship or other vessel on the said ground, above the length of twenty foot keel, shall pay to the commissioners for the public use of the said town such sum as shall be thought necessary, not to exceed six pence current money per ton, for licence to build any such ship or other vessel thereon; and that the commissioners, or major part of them, have also power to lay out a convenient cart road to the said ship-yard, so as to do the least damage they possibly can to the owner of said land, and which road shall be always kept open and free for the use of the said ship-yard.

And near Seneca Point, &c.

XX. AND, to continue a succession of the said commissioners, for the good order and regulation of the said town and trade thereof, BE IT ENACTED, by the authority, advice and consent aforesaid, That when and as often as any of the said commissioners shall die, or depart this province, or shall refuse or

Succession provided for.