

for the same, whereby great numbers (to prevent contests,) were obliged and willing to join two of their names to one lot, to be divided between them; to prevent therefore the trouble and charge of executing and recording deeds, or other instruments, as may by reason thereof be occasioned. **BE IT THEREFORE ENACTED,** That all such persons, who on the day of balloting for the lots in Charles-town aforesaid, entered two of their names for one lot, reference being had to the clerk's entry on that day made and taken, may at any time, within twelve months after the end of this session of assembly, have liberty to enter with the said clerk, such equal division, or distinct moiety of such lot or lots, as shall be agreed on by the said two parties, which agreement or division, the said clerk shall enter on the record book to be kept for said town, and shall receive for each entry one shilling, and such entry or record made by the said clerk in the book aforesaid, and both, or either of the parties, performing the requisites required for having lots by the law for Charles-town aforesaid, shall have such lot, and transfer to each of the said persons a property to their respective and distinct moiety, so agreed on and entered as aforesaid, in as ample manner as in the former law is directed, for giving and securing title to persons taking single or whole lots.

C H A P. XXII

How certain entries shall be made, &c.

XXVII. AND BE IT ALSO ENACTED, That the reverend Mr. William Wye, having at the balloting aforesaid made purchase of a lot in said Charles-town; he is hereby exempted from forfeiting the said lot, although not built thereon, any former law to the contrary notwithstanding.

Lot exempted.

XXVIII. This act to continue for seven years from and after the end of this session of assembly, and unto the end of the next session of assembly which shall happen after the end of the said seven years.

Duration.

This act was farther continued by the additional supplementary act of 1750, ch. 12, which was made perpetual by 1753, ch. 28.

C H A P. XXIII.

An ACT to enable certain commissioners therein named to lay out forty acres of land into eighty lots, for a town on Indian river, in Worcester county, as also forty acres of land into eighty lots, at the head of Asseteague creek, at a place commonly called The Trap, for a town. Lib. BLC. fol. 303.

Passed 4th of June, 1744.

Supplementary acts 1745, ch. 3, and 1748, ch. 12.

N. B. By this act, 1. The commissioners are empowered to buy 40 acres of land, at each of the said places, and cause the same to be laid out into 80 lots in each of the aforesaid towns. 2. The commissioners to meet on the lands aforesaid before the last day of November next, then and there to treat with the owners for the purchase thereof, and in case of refusal or disability of the owners to sell, to cause the same to be valued by a jury, and whatever sum the jury shall assess and award, shall be the price to be paid to such owners, &c. 3. The commissioners, after such purchase or valuation, to cause the same 40 acres in each town to be laid out into 80 lots, allowing space for streets, lanes, &c. and number the lots from one to eighty; and the streets and lanes to be distinguished by names, and by posts set up. 4. The commissioners to assess and ascertain the price of the several lots, according to their value, conveniency, &c. so as that the prices of all the lots in each town may amount to the sum agreed for, or awarded by the jury. 5. The lands so divided and laid out shall be crested into towns, and that situated on Indian river, on John Massey's and Thomas Eyolat's dwelling plantations, to be called Baltimore-town, and that at the head of Asseteague creek, at the Trap, to be called Newport-town. 6. The owners of the land to have the first choice of any two lots in each town, so that such choice be made within ten days after the survey, after which time, any persons to be at liberty to take up lots in each of the towns, paying the price set thereon; and every person paying the price of the lot by him or her taken up, or proving, to the satisfaction of the commissioners, a tender thereof to the owner aforesaid, and that the owner had refused to accept the same, and an entry of such payment, or tender and refusal, being made as hereafter directed, shall invest such person with an estate of inheritance, in fee-simple, of and in such lot, to him or her, his or her heirs and assigns for ever, without any deed, &c. from such owner for the same. 7. None to take up above one lot within 12 calendar months after survey. 8. Persons taking up lots in either of the said towns shall, within three years after such taking up, build and finish thereon one good substantial and tenantable house, with one brick or stone chimney thereto, that shall cover not less than 400 square feet of ground, exclusive of the shed; and persons neglecting to build as aforesaid within the time limited, shall lose such lot, and the estate of such taker up shall thenceforth cease and determine, and the lots so neglected to be built upon, may be taken up by any other person whatsoever, which second taker up, paying the commissioners the price thereof so as aforesaid assessed, and entry thereof made as aforesaid, and building thereon as before directed, within the time before limited after such second taking up, shall have the like estate therein as the first takers up, (who shall comply with all the requisites before mentioned,) are declared to have, and so, *toties quoties*, until the same lots be built upon and improved as aforesaid; and the money paid by such second takers up shall be applied by the commissioners to the use and benefit of the town. 9. The surveyor to make out fair and exact plots of the towns, whereby each lot, street, lane and alley therein, may appear well distinguished by their respective numbers and names, and the same plots, with full and plain certificates thereof, shall deliver to the commissioners, to be deposited as hereafter directed. 10. The commissioners to employ a sufficient clerk, and administer an oath to him for the due performance of his office, which clerk shall find a well bound book for entering the proceedings of the said commissioners in the premises, and faithfully register therein the certificates of the surveys, and all other the transactions of the commissioners in and about the towns aforesaid; the said registry, with the plots and certificates, being carefully examined by the commissioners, shall, when completed, be lodged with the county clerk, to be by him kept among the county records. 11. Possessors of lots to pay one penny sterling yearly rent for each lot to the right honourable the lord proprietary, his heirs or assigns.

C H A P. XXIV.

An ACT for dividing All-Hallows parish, in Worcester county, and for erecting a parish out of the same, called by the name of Worcester parish. Lib. BLC. fol. 306.

By this act, 1. From the death, &c. of the reverend Mr. Glasgow, (the present incumbent,) all that part of All-Hallows parish, beginning at the mouth of Newport creek, running out of the sea, and running by and with the said creek and a branch thereof