

C H A P.
XXXII.

person as they, or the major part of them, shall make choice of and appoint for that purpose, into lots of not more than half an acre each, allowing such sufficient space or quantity thereof for streets, lanes and alleys, as to them shall seem meet; and the same lots so laid out, as also those already possessed by the inhabitants of the said village or others, and the public ground within the lines aforesaid, shall number with numbers one, two, three, and so on, for distinguishing each lot from the other, and shall cause the streets, lanes and alleys, to be named and distinguished by certain names, and by good sufficient cedar or locust posts or stones to be set up as boundaries to them, and also to the lots aforesaid, and the expence of procuring and setting up the same shall be paid as herein after directed.

Commissioners
to assess the
price, &c.

V. AND BE IT ENACTED, That the commissioners, or the major part of them, shall and they are hereby required to assess, set and ascertain, the price to be paid for each of the lots laid out as aforesaid, (except such lots as may be reserved by the proprietors in their agreement with the said commissioners,) according to the value, conveniency and situation thereof, so always that the prices of all the said lots added together may amount to the sum by them agreed to be given for the said land, and also all expences incident to the surveying, dividing, laying out, plotting and bounding the said lots; and after the said lots are so laid out, bounded and priced, as aforesaid, the same, except those reserved for the respective proprietors, shall be sold by the said commissioners, or a major part of them, to the respective persons who shall first apply to take up the same, and offer to pay the price of the lot or lots applied for in ready money.

If not able to
purchase, land
to be surveyed,
&c.

VI. AND BE IT ENACTED, That if the said commissioners shall not be able to purchase the said land, or such part thereof as shall remain after the reservation of every fifth lot to the owner or owners, from the said owner or owners thereof, or such person or persons as shall be authorized by him or them to convey the same, by reason of the refusal of the said owner or owners, or from any other cause, on or before the first day of June next, then it shall and may be lawful for them to have the same surveyed, divided, laid out, plotted and bounded, as herein before directed, reserving every fifth lot upon such plot to the respective proprietors of said land; and the said lots, when so surveyed, divided, laid out, plotted and bounded, the said commissioners, or a major part of them, shall, after giving six weeks notice by advertisement in the Maryland Gazette and Pennsylvania Journal, and likewise setting up advertisements at the court-house door of the said county, and at the several churches in the same, expose to public sale, except those reserved to the proprietors as aforesaid, upon the following terms; the purchaser to give bond with sufficient security, to be approved by the commissioners, or a major part of them, to pay the purchase money, with interest thereon, in twelve months, to the proprietor of the land, except his just proportion of the expences of surveying, laying out, plotting and bounding the said town, which shall be paid in ready money; and the said lots so sold shall be struck off to the highest bidder, but the property shall not be vested in him until bond and security given, and the ready money paid as aforesaid; provided, that no lot containing half an acre of ground shall be struck off at a less price than seven pounds ten shillings; and so in proportion for lots of less size,

Proviso.

VII. PROVIDED ALWAYS, That it shall not be lawful for any person to purchase, take up, enjoy, have or possess, more than three of the same lots within twelve months after the same are divided, plotted and laid out as aforesaid; and no proprietor of the said land shall hold more than three lots, over and above every fifth lot reserved to him by this act, within the said term of twelve months.

A plot to be
made out, &c.

VIII. AND BE IT ENACTED, That the surveyor of the county aforesaid, or any person whom the commissioners aforesaid, or the major part of them, shall appoint to survey, plot and lay out the lands aforesaid, as herein before directed, shall make out a fair and exact plot of the town aforesaid, and survey thereof, whereby each lot, street, lane and alley, may appear to be well distinguished by their respective names, and the same plot, with a full and plain certificate thereof, shall deliver to the commissioners as aforesaid, or the major part of them, to be entered and repositied as herein after directed; and that the said surveyor, or the person appointed as aforesaid, shall have and receive for surveying and laying out the town aforesaid such sum as the said commissioners shall think reasonable, to be paid as herein after directed.

Commissioners
to employ a
clerk, &c.

IX. AND BE IT ENACTED, That the commissioners aforesaid, or the major part of them, shall and they are hereby required to employ some sufficient person for their clerk, and shall administer an oath to such clerk for the due performance of his office, which clerk shall and is hereby obliged to find and provide a good well bound book for registering and entering the proceedings of the said commissioners in the premises, and shall duly and faithfully register and enter in such book the certificate