

That all the lots, streets, lanes and alleys, that have been laid off, sold and conveyed, given or granted, by the commissioners of confiscated British property, and others, which are situate within the forks of Elk river, and heretofore called the Head of Elk, and all the lots, streets, lanes and alleys, which hereafter may be laid out by the commissioners hereafter appointed, and their successors, shall be reputed, held and esteemed, a town; and that the state of Maryland, Jacob Hollingsworth and Henry Hollingsworth, and others, to whom the right of soil in the said streets, lanes and alleys, and lots aforesaid, did belong and appertain, shall for ever hereafter be barred from having or holding the same, unless the inhabitants of the said town shall cease and decline to use them for the purpose for which they were granted; provided nevertheless, that the commissioners, or their successors, shall not make any street, lane or alley, or lay off any lots, save where they have been heretofore made and laid off by the direction of the commissioners of confiscated British property, and others who have laid off and conveyed lots, or which shall be done with the free consent and approbation of the owners of the lands which shall or may hereafter be laid off into lots, streets, lanes and alleys.

C H A P.
XXXI.
Lots, &c. shall
be reputed a
town, &c.

IX. AND BE IT ENACTED, That Joseph Gilpin, Jonathan Booth, Zebulon Hollingsworth, Henry Hollingsworth and Tobias Rudolph, junior, be and are hereby appointed commissioners to survey and lay out all lands, or parcels of lands, heretofore surveyed and laid out into lots, lanes and alleys, by the commissioners of confiscated British property, and others, agreeably to the surveys heretofore made, and the same, when surveyed, to lay out into lots, streets, lanes and alleys, and a correct and accurate plot thereof returned to the clerk of Cæcil county, by him to be recorded among the land records of the said county, and kept in the said office, and the same, or a copy thereof, shall always be evidence as to the streets, lanes and alleys, and the bounds and lines of lots in the said town.

Commissioners
appointed, &c.

X. AND BE IT ENACTED, That the said commissioners, or a major part of them, shall cause all the lots in the said town to be substantially and fairly bounded and numbered, and marked with the name of the present occupant or owner, if known; and it shall be the duty of the commissioners, and their successors, from time to time hereafter, to see that the said boundaries be kept up and preserved, and to hinder encroachments to be made on any of the streets, lanes, alleys or public grounds aforesaid.

Lots to be
bounded, &c.

XI. AND BE IT ENACTED, That when the commissioners aforesaid shall have completed their survey as aforesaid, which they are hereby required to do within two years, and shall have caused the same to be recorded among the land records of Cæcil county, the town aforesaid, heretofore called the Head of Elk, shall be for ever hereafter called and known by the name of Elkton.

When survey-
ed, &c. to be
called Elkton,
&c.

XII. AND, that a succession of commissioners, who may be zealous to promote the convenience and interest of the inhabitants, may be provided for, BE IT ENACTED, That on the Easter Monday yearly, or as soon thereafter as may be convenient, and every year after the survey aforesaid shall be completed and recorded, the inhabitants of the town aforesaid, qualified by the constitution and form of government, shall assemble and make choice of seven men, being either inhabitants of the town aforesaid; or having a real estate therein worth three hundred pounds current money at the least, which seven men, so chosen, shall be the commissioners of the said town, and the trustees of the school in said town, called the Town School, for and during the year next after their election as aforesaid.

Seven commif-
sioners to be
chosen annual-
ly, &c.

By 1793, ch. 42, all acts done by the said commissioners and trustees who continued to act without being elected annually, are made valid; and by 1796, ch. 31, the power of appointing such commissioners, &c. shall not cease by neglect of the inhabitants to make an election in the manner and time required.

XIII. AND BE IT ENACTED, That the commissioners of the town, or a major part of them, shall have full power and authority to employ a clerk, and at their pleasure to displace him and choose another, who shall, before he acts as such, take the following oath, or affirmation if a quaker, mennonist or tunker: "I, A. B. do swear, or affirm, that as clerk of the commissioners of Elkton I will behave and demean myself diligently, faithfully and honestly, in the several duties of my said office, according to the best of my skill and knowledge; so help me God;" and that it shall be the duty of the said clerk of the said commissioners, fairly and honestly to enter in a book to be kept for that purpose, all the proceedings of the said commissioners relating to the said town, in which book, among other things, shall be kept a fair plot of said town, describing every lot by its number, and who the present occupant and owner is, and shall also duly attend the markets in said town, and use his best endeavours that the regulations of the said market above mentioned shall be observed, and that no false weights and measures be used, or unwholesome provisions be sold, or offered to sale, in said market, and shall have power to try any weights and measures used in said market, and when found

Who may em-
ploy a clerk,
&c.