

101 also to the quantity of acres given or granted as aforesaid and in case it
appear upon such examination that Lands have been given for the use of a
Church Chappell or Churchyard as aforesaid but the quantity thereof not
mentioned by the Donor or Grantor thereof as aforesaid that then and in
every such case the Vestry of the respective parish where such gift or grant
shall be made and the quantity not ascertained as aforesaid may demand and
take of such lands for the use of the Church and thereto adjacent two acres and
no more which they shall cause to be surveyed and marked out and make
return of two Certificates thereof One of which must be recorded in the County
Court and the other in the High Court of Chancery there to be registered in
perpetuum rei Memoriam as aforesaid.

And be it further Enacted by the Authority aforesaid by and
with the Advice and Consent aforesaid that where the Vestry of any parish within
this province have or shall think convenient to place either Church or Chappell of
Lands within their respective parishes for the better convenience of their parishioners
but the Owner or Owners of such Land chosen out and appointed by such Vestry as
aforesaid for the use of their parish aforesaid either refuse to make Sale thereof
or are unreasonable in his or their Demands for the same or ^{otherwise} incapacitated
by Nonage Non Sane Memoria or beyond the Seas that then and in every such
Case the respective Vestries of the respective parishes shall apply themselves to the
Commissioners of the County Court where they belong upon whose Application
the said Commissioners shall forthwith grant their warrants to the Sheriff of their
County whereby requiring him at a certain day and time to be by them nominated
and appointed to impanel a Jury of Substantial Freeholders next adjacent to
the Land in quest aforesaid which said Commissioners and Jury aforesaid shall power
in all things as by another Act of Assembly Intituled An Act Impowering the
Commissioners of the several and respective Counties to take up and purchase Lands
their County Court houses they are directed not exceeding two acres as by the
Act mentioned and expressed. Any thing in this Act or any other ordained to the
notwithstanding.

Sept 22nd 1704
Read and assented to by the
House of Delegates Maryland

Sept 26th 1704 Read and assented to by her Majesty's
Maryland Oct 3rd 1704.

On behalf of her Majesty's Most Excellent Majesty a Law.

Jo: Seymour