

July 1732

said, it shall then be lawful for any Person or Persons whatsoever, to take up the said Lot or Lots, paying the Owner or Owners proportionably for the same. And in Case the Owner or Owners of the aforesaid Fifteen Acres of Land, shall refuse to make Sale of the same, or that through Nonage, Coverture, or any other Disability or Impediment whatsoever, are disabled to make such Sale as aforesaid, that then the Commissioners aforesaid, or the major Part of them, shall and are, by Virtue of this Act, authorized, impowered, and required, to issue Warrants under their Hands and Seals, to the Sheriff of the said County; which said Sheriff is also hereby required and impowered, upon Receipt of such Warrants to impanel and return a Jury of the most substantial Freeholders, Inhabitants within the said County, to be and appear before the said Commissioners at a certain Day and Time by them to be limited: Which Jury, upon their Oaths, shall enquire to whom the said Land belongs, and assess and return what Damages and Recompence they shall think fit to be awarded to the Owners of the said Fifteen Acres of Land, and to all Persons interested therein, according to their several and respective Interests; and what Sum of Tobacco the said Jury shall adjudge the said Fifteen Acres of Land to be worth, shall be paid to the Owners so found by their Verdict, and to all Persons they find interested therein, by such Person or Persons as shall take up the said Lots, proportionably to their Lot or Lots, which shall give the said Purchaser or Purchasers, their Heirs and Assigns, an absolute Estate of Fee Simple in the said Lot or Lots, he or they complying with the requisites in this Act mentioned.

*AND be it further Enacted,* That the Surveyor of *Somerset* County, for the Time being, shall have and receive, for surveying and laying out the Town aforesaid, the Sum of Five Hundred Pounds of Tobacco, and no more, to be paid and allowed him in the County Levy; and that he return a Plat thereof to the County Clerk, to be by him kept amongst the County Records. And in Case the Taker-up of such Lot or Lots refuse or neglect to build upon such Lot or Lots, within Eighteen Months, an House that shall cover Four Hundred Square Feet, that then it shall and may be lawful for any other Person or Persons whatsoever, to enter upon the said Lot or Lots, so as aforesaid not built upon, paying such Sum of Tobacco as shall be first set and assessed upon such Lot, to the Commissioners aforesaid, or such other Person as the said Commissioners, or the major Part of them, shall nominate and appoint to receive the same, for the Publick Use and Benefit of the said Town, and to be taken up a Second Time.

*PROVIDED* always, That such Taker-up or Purchaser build and finish, within Eighteen Months after such his Entry made, such House, as in this Act is before limited and appointed to be built by the first Taker-up; which House so built, shall give and settle as good an Estate, to all Interests and Purposes, to such Second Taker-up and Builder, as aforesaid, his Heirs and Assigns, as is in and by this Act before limited and settled upon the First Taker-up and Builder. And in Case any of the said Lots shall be neglected to be taken up in the Town aforesaid, during the Term of Seven Years, next after the Publication of this Act, that then, and in such Case, the Owner, or Persons interested at first in such Land, shall, after such Time expired, be possessed and interested in the said Lot or Lots, as in their first and former Estate; any thing in this Act to the contrary, notwithstanding.

*AND*