

by them the said Commissioners, or the major Part of them, to be appointed, before the last Day of *June* next ensuing this present Session of Assembly, to meet at the said Town, and call and take to their Assistance the Surveyor of *Prince George's* County, or such other Person skillful in Surveying as the said Commissioners, or the major Part of them, shall think fit to choole, and then and there proceed carefully to re-survey, and the aforelaid One Hundred Acres of Land, into as many convenient Lots as were heretofore in the said Town laid out, marked, and numbered One, Two, and so on to One Hundred, with the same Streets, Alleys and Lanes as formerly laid out in the said Town, provided they do not incommode the present Settlements.

*And be it further Enacted,* That the said Commissioners shall cause the same Survey to be made as near as possibly they can agreeable to the original Survey of the said Town, and shall set up Posts, Stakes, or such other Boundaries, as to them shall seem meet, to settle and distinguish the same Survey for ever. Always having regard as near as may be to the original Survey thereof, and the Lots already Improved and Built upon.

*And be it further Enacted,* That the same Land so Surveyed, Laid out, and Distinguished, shall be, and is hereby, made and erected into a Town, and shall be called by the Name of *Upper-Marlborough* Town.

*And be it further Enacted,* That the Owners and Possessors of any of the Lots already taken up in said Town, not already built upon, or that shall hereafter take up any of the said Lots, shall and are hereby required to erect and build upon such Lot or Lots, within Three Years after the Survey to be made as aforelaid, and a Record thereof made and entered according to the Directions of this Act, One House that shall cover Four Hundred square Feet of Ground, with one good Brick or Stone Chimney at least; and if any such Owner or Owners of such Lot or Lots as aforelaid, shall neglect or refuse to build as aforelaid, that then and in such Case, the Right, Title, and Property of such Owner or Owners, to such Lot or Lots, at the Expiration of the said Three Years, shall cease and determine, and the Lot or Lots shall become the Property of the former Proprietors.

And whereas, several of the Lots that have now Dwelling-Houses built on them, in said Town, have only Wooden Chimneys, which are and will be very dangerous to several Settlements already made, and to be made in the said Town, by reason of their being subject to take Fire.

*Be it therefore further Enacted,* That the Owner or Owners of such Dwelling-House or Houses shall, and are hereby required to build Brick or Stone Chimneys to such House or Houses, within Twelve Months after the said Town shall be surveyed and laid out as aforelaid: And if any Owner or Owners of such Lot or Lots, shall neglect or refuse to build such Chimney or Chimneys as aforelaid, and using Fire in the said House or Houses, then and in every such Case, such Owner or Owners shall forfeit and pay the Sum of Five Shillings Current Money, for every Month any Person shall dwell or use Fire in such House or Houses, without Chimneys as aforelaid, and so *pro rato* for a longer or shorter Time, to be recovered before a single Magistrate as in case of Small Debts, to be applied to the public Use of the Town, as the Commissioners aforelaid,

Survey to be made of said Town.

Brick or Stone Chimneys to be built.

Penalty in case of Neglect or Return.