

quired, Ten Days at least before the Day on which a Survey as aforesaid is directed to be made, to issue a Warrant unto the Sheriff of the said County, which said Sheriff is hereby authorized and required, upon Receipt of such Warrant, to impanel and summon a Jury of Twelve substantial Freeholders, Inhabitants of the same County, to be and appear before the said Commissioners, or the major Part of them, at the same Town at a certain Day, being such Day on which the aforesaid Survey shall be made; which Jurors upon their Oath to them by such Commissioners, or the major Part of them, to be administered, who are hereby required and authorized to administer the same, shall enquire what Damages and Recompense ought to be awarded to the said original Proprietor or Proprietors of all such Lots as are not taken up and possessed by any Person or Persons other than such original Proprietor or Proprietors of the said One Hundred Acres, and the Payment of such Sum or Sums of Money or Tobacco, as such Lot or Lots as shall by the said Jury be adjudged worth to the Proprietor or Proprietors as aforesaid, or a Tender thereof by such Person or Persons who will be willing and desirous to take up such Lot or Lots aforesaid; and Refusal by such Proprietor or Proprietors, and such Payment or Tender and Refusal being duly proved, by the Oath of one or more lawful Witnesses or Witnesses, before Two Justices of the Peace for the said County, by the said Person or Persons intending to take up the same, and an Entry or Record thereof made by the Town-Clerk aforesaid, and returned by him to be lodged with the other Proceedings in the County-Court Office as aforesaid, shall give and make to such Person or Persons paying or tendering as aforesaid, an absolute Estate in Fee-Simple in such Lot or Lots, such Person or Persons complying with the other Requisites in this Act mentioned; any Law, Statute, Usage or Custom to the contrary notwithstanding.

What is to be done in case of the Owners Refusal of Payment or Tender.

*And be it Enacted,* That all Lots hereafter to be taken up, shall be built upon and improved as according to the before Dimensions, within Three Years after the Taking-up of the same; which Lots so built upon by the Takers-up, or their Heirs or Assigns, and paid for, or Tender of Payment made as before provided, shall be the Right, Property and Estate of such Person or Persons so taking up, improving, and paying, their Heirs and Assigns for ever.

Lots taken up to be built upon.

*And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid,* That all Persons minding to take up Lots in the Town aforesaid, shall have free Liberty to take up and enter the same for the Space of Two Years, to be computed from the Time of making up the same Survey; but in case all the Lots should not be taken up within Two Years after the Survey made, that then it shall revert to the former Proprietors.

Time allowed for taking up Lots.

*Provided always,* That the Proprietor of the remaining Land not taken up or held, shall have the Preference of taking up any one Lot he shall think fit, more than he or they have already improved upon, so that he make his Election within Four Days after the Survey aforesaid is to be made.

Proviso

*And be it further Enacted,* That every Person who already hath, or hereafter shall take up, pay for, and build on any of the Lots laid out