

Dec. Ses 1816

Passed Jan. 16.

CHAPTER 79.

An act, entitled, A supplement to an act, entitled, An act for erecting a Town by the name of Cumberland, at or near the mouth of Will's Creek, in Allegany County, and for other purposes.

Commissioners
to lay off streets
&c.

Proviso.

— to appoint a
surveyor.— to alter Flat
street.-Addition when
annexed, to be
part of the
town.

Proviso.

Plot to be re-
turned.Allowance to
comm'rs. &c.

Vacancies.

Sec. 1. *Be it enacted by the General Assembly of Maryland, That* Roger Perry, William M. Mahon and John Scott, be and they are hereby appointed commissioners to lay off, locate, mark, bound and number, into lots, streets, lanes and alleys, a certain piece or parcel of land, the property of David Lynn, lying between the street called Flat-street, in the said town of Cumberland, and the river, and between the two streets called Chase-street and Smallwood-street; *Provided*, that the streets, lanes and alleys, of said addition, shall always correspond with the streets, lanes, and alleys of the said town.

2. *And be it enacted*, That the said commissioners shall have power and authority to appoint any person they may think proper as a surveyor to assist them in laying off said addition.

3. *And be it enacted*, That the said commissioners, or a majority of them, shall have power and authority to alter and change the street in said town called Flat-street, from its present location between Chase-street and Smallwood-street, the depth of one set of lots nearer the river, with the consent of all the owners of lands and lots on said street or adjoining thereto.

4. *And be it enacted*, That the said addition to the town of Cumberland, when annexed, shall be considered and held as a part of said town, and enjoy all the privileges and immunities thereof, in as full and ample a manner as if originally included in the location thereof; *Provided*, that it shall not be lawful to impose upon said lots, or the owner or owners thereof, any corporation tax or assessment, until the said lots are built upon or improved.

5. *And be it enacted*, That the said commissioners, or a majority of them, are hereby directed and required, to return a correct plot and certificate of said lots, streets, lanes and alleys, to the clerk of Allegany county court, who is hereby authorized and required to record the same at the expense of the said David Lynn, among the land records of said county, and keep the original plot and certificate in his office, a certified copy of the original or record, or any part thereof, shall always be conclusive evidence as to the lots, streets, lanes and alleys, of said addition.

6. *And be it enacted*, That the said commissioners and surveyor, shall be entitled to receive from the said David Lynn, his heirs or representatives, the sum of one dollar and fifty cents for each day they are so employed in locating, changing and altering Flat-street, and also laying off said addition to the town of Cumberland, and may if necessary, compel payment by an action of debt, before a single magistrate, in a summary way.

7. *And be it enacted*, That if any of the aforesaid commissioners shall die, refuse, neglect, or be incapable to act, the remaining commissioner or commissioners shall appoint some other person or persons in the place of the person or persons who shall so die, refuse, neglect, or be incapable to act.