

and are hereby appointed commissioners for Frederick county aforesaid, and are hereby authorized and empowered, as well to buy and purchase sixty acres, part of the tracts of land belonging to Messieurs George Gordon and George Bell, at the place aforesaid, where it shall appear to them, or the major part of them, to be most convenient as to survey and lay out, or cause the same to be surveyed and laid out, in the best and most convenient manner, into eighty lots, to be erected into a town.

III. AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid,* That the commissioners aforesaid before nominated and appointed, or the major part of them, are hereby empowered and required, at some time by them, or the major part of them, to be appointed, before the first day of October next, to meet together on the land aforesaid, or at some other place near and convenient thereto, and then and there treat and agree (if the same can be done on reasonable terms,) with the owner or owners, and person or persons, interested in the same sixty acres of land, for the purchase thereof; and if it shall happen that the said owner or owners, person or persons, will not agree with the said commissioners for such rate or price as they the said commissioners, or the major part of them, shall think reasonable, or shall refuse to make sale of the same, or that through non-age, coverture, or any other disability or impediment, shall be disabled to make such sale, that then and in any such case the commissioners aforesaid, or the major part of them, shall and are hereby empowered and required, to issue a warrant, under their hands and seals, directed to the sheriff or coroner of Frederick county aforesaid for the time being, commanding him to summon and impanel a jury of seventeen good and lawful men, freeholders of his bailiwick, to be and appear at the day and place in such warrant to be mentioned, which sheriff is hereby required and obliged to execute the same; and that jury, being by the said commissioners charged and sworn, shall, upon their oath, inquire, assess and return, what damages or recompence they shall think fit to be paid and given to such owner or owners, person or persons, for the sixty acres of land aforesaid, and that whatever sum or sums of money such jury shall so assess and award, shall and is hereby declared to be the value and price to be paid to such owner or owners, person or persons, interested in the sixty acres of land aforesaid; but if the said jury shall assess and value the said land at a less price than fifty shillings current money for each acre, then in such case the purchaser or purchasers of such land shall pay such further sum, over and above what shall be the valuation of the said jury, as shall make up the full sum of fifty shillings like money as aforesaid for every acre, to be paid to such proprietor or proprietors as aforesaid.

Land to be
purchased, &c.

IV. AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid,* That after the agreement and purchase of the commissioners aforesaid, or after the assessment and return of the jury aforesaid, as the case shall happen, the aforesaid commissioners, or the major part of them, shall and are hereby required to cause the same sixty acres of land to be carefully surveyed, divided and laid out, by the surveyor of the county aforesaid, or such other person as they, or the major part of them, shall make choice of and appoint for that purpose, as near as conveniently may be, into eighty equal lots, allowing such sufficient space or quantity thereof for streets, lanes and alleys, as to them shall seem meet, and the same lots so laid out shall number with numbers, one, two and three, and so to eighty, for distinguishing each lot from the other; and shall cause the streets, lanes and alleys, to be named and distinguished by certain names, and by good sufficient cedar or locust posts, to be set up as a boundary to each of them.

Lots to be sur-
veyed, &c.

V. AND BE IT FURTHER ENACTED, *by the authority, advice and consent aforesaid,* That the commissioners, or the major part of them, shall and are hereby required to assess, set and ascertain the price to be paid for each of the lots aforesaid, according to the value, conveniency and situation thereof, so always that the prices of all the said lots, added together, may amount to the sum by them agreed for, or awarded by the jury, for the aforesaid sixty acres of land, and no more; and the aforesaid sixty acres of land being so surveyed, laid out and divided, shall be and is hereby erected into a town, and shall be called by the name of George town.

Price to be as-
sessed, &c.

VI. AND BE IT FURTHER ENACTED; That the owner or owners of the aforesaid land shall and may have his, her or their choice of any two of the lots aforesaid, to be by him, her or them retained, for his, her or their proper use, provided such choice shall be made and declared to the commissioners aforesaid, or the major part of them, within ten days after the survey aforesaid shall be made and completed, and not otherwise; and that after such choice is made, or in case no such choice shall be made within the ten days aforesaid, then after the expiration of the same ten days, all persons whatsoever shall be at liberty to take up and purchase the same lots, paying the owner or owners aforesaid, or others therein interested, the price or value thereof, so as aforesaid set and assessed by the commissioners aforesaid; and that every person who shall pay as aforesaid the price of the lot by him or her so taken up or chosen, or shall prove to the satisfaction of the said commissioners, or the

Owners to have
choice, &c.