

1751.

MAY.

CHARLES LORD BALTIMORE.

C H A P.
XXV.

major part of them, that he or she had tendered or offered to pay the said price to the owner or owners aforesaid, and that such owner had refused to accept or receive the same, and an entry of such payment or tender and refusal being made according to the directions hereafter mentioned, such person shall and is hereby declared to be, by virtue of such payment or tender and refusal, and entry thereof made as aforesaid, and this act, fully and absolutely invested and seized of and in an estate of inheritance in fee-simple of and in such lot, to him or her, and his or her heirs and assigns for ever, without any deed, conveyance or other transfer from such owner or owners for the same, any statute, law, usage or custom, to the contrary notwithstanding.

Proviso.

VII. PROVIDED ALWAYS, That it shall not be lawful for any person to take up, enjoy, have or possess, more than one of the same lots, within twelve months after the same are divided and laid out as aforesaid; provided also, that all and every the person and persons aforesaid so taking up the lots aforesaid, or any of them, shall and are hereby obliged and required, within two years after they shall take up their respective lots as aforesaid, and entry thereof made as aforesaid, to erect, build and finish thereon; one good and substantial house that shall cover four hundred square feet of ground at the least, and that it be made in every respect tenantable, with one good brick or stone chimney thereto; and that all and every of such taker or takers up, who shall neglect to build as aforesaid on their respective lots aforesaid, within the time herein for that purpose limited and appointed, shall lose such, and the estate of such taker up so neglecting as aforesaid, shall from henceforth cease and determine, and such lot or lots so neglected to be built upon shall be subject to be again taken up by any other person whatsoever, which second taker up, paying to the commissioners aforesaid the price thereof so as aforesaid assessed, and entry thereof made as aforesaid, and building thereon as before directed within the time before limited after such second taking up, shall have the like estate in such lot or lots as the first takers up who shall comply with the requisites before mentioned are herein before declared to have, and so, *toties quoties*, until the same lots shall be built on and improved as aforesaid.

Money to be
applied, &c.

VIII. AND BE IT FURTHER ENACTED, That the money aforesaid directed to be paid to the commissioners aforesaid, for the lots not built on and improved by the first or other takers up within the time herein limited, shall and is hereby directed to be applied to such purposes, for the use and benefit of the said town, as to the said commissioners, or the major part of them, shall seem meet.

A fair plot to
be made out,
&c.

IX. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That the surveyor of the county aforesaid, or any other person whom the commissioners aforesaid, or the major part of them, shall appoint to survey and lay out the lands aforesaid, as before herein directed, shall make out a fair and exact plot of the town aforesaid, and survey thereof, whereby each lot, street, lane and alley, may appear to be well distinguished by their respective numbers and names, and the same plot, with a full and plain certificate thereof, shall deliver to the commissioners as aforesaid, or the major part of them, to be entered and repositied as hereafter directed; and that the said surveyor, or other person appointed as aforesaid, shall have and receive for surveying and laying out the town aforesaid, and making the plot aforesaid, the sum of one thousand pounds of tobacco, to be paid and allowed in the county levy, and no more.

Commissioners
to appoint a
Clerk, &c.

X. AND BE IT FURTHER ENACTED, *by the authority aforesaid*, That the commissioners aforesaid, or the major part of them, shall and are hereby required to employ some sufficient person for their clerk, and shall administer an oath to such clerk for the due performance of his office, which clerk shall and is hereby obliged to find and provide a good well bound book, for registering and entering the proceedings of the said commissioners in the premises, and shall duly and faithfully register and enter in such book the certificate of the survey aforesaid, the prices of each respective lot, the name of the owner, and the time of its being taken up and paid for, or of the tender or refusal as aforesaid, and all other the transactions and proceedings of the aforesaid commissioners whatsoever, in and about the town aforesaid; which said register, together with the plot or survey of the same town, shall be carefully examined and inspected by the aforesaid commissioners, or the major part of them, and after the same is completed, shall be lodged with, and delivered to, the clerk of the same county, to be by him kept amongst the records of the same county.

And ascertain
his fees, &c.

XI. AND BE IT FURTHER ENACTED, That the said commissioners, or the major part of them, shall limit and ascertain what fees their clerk aforesaid shall have and receive for the several services by him to be done by virtue of this act, to be paid by the several persons taking up the lots aforesaid.

XII. AND, whereas it may be advantageous to the said town to have fairs kept therein, and may prove an encouragement to the back inhabitants, and others, to bring commodities there to sell and vend,