

said, Mr. Edward Mann, Mr. John Edmondson, Mr. Clement Saile, Mr. John Neels, Mr. John Hawkins, Mr. Thomas Robins, and Mr. Thomas Robins, junior; the Honourable Col. George Robothom, and Mr. Thomas Smithson, and Mr. Robert Smith.

III. **And be it Enacted,** That the said Commissioners herein nominated for each respective Town in each County aforesaid, or the major Part of them, are hereby impowered, some Time before the Five and twentieth Day of February, in the Year of our Lord One Thousand Six Hundred and Ninety four, to meet together upon the respective Lands and Places for Towns before mentioned, and that then and there Treat with and Agree with the Owners and all Persons interested in the said Lands, and buy and purchase of such Owners and Persons interested in the said Lands, One Hundred Acres of the said Lands, at the Discretion of the Commissioners aforesaid, least prejudicial to the Owners. And, after Purchase, shall cause the same to be Surveyed, and, after Survey so made, shall cause the same to be marked, staked out, and divided into convenient Streets, Lanes and Alleys, with open spare Places to be left, on which may be erected a Church, Chapel, Market-House or other Public Building, and the remaining Part of the said One Hundred Acres to be divided into One Hundred equal Lots, marked on some Posts or Stakes towards the Streets or Lanes with Number One, Two, Three, Four, and so to an Hundred: Out of which Lots the Owner of such Lands shall have the first Choice for one Lot; and no Person shall purchase more than one Lot, during the space of one Year after the said Five and twentieth Day of February, except his Excellency Francis Nicholson, Esq; Governor of this Province, who shall have the next immediate Choice of One, Two, or Three Lots in each or either of the said Towns, if his Excellency so pleases. After which, the Lots shall be taken up by the Inhabitants of the Counties only, during Six Months after laying out the same. And if the Inhabitants shall not take up the same Lots in the Time aforesaid, it shall then be free for any Person or Persons whatsoever, to take up the said Lot or Lots, paying the Owner proportionably for the same.

Their Power, and Duty.

IV. **And** in case any Person or Persons shall wilfully refuse to make Sale of any such Lands herein before mentioned; or any Person or Persons, through Non-age, Coverture, or *Non sane Memorii*, or other Impediment or Disability whatsoever, that then the Commissioners aforesaid, nominated for each respective Town, are hereby authorized, by virtue of this Act, to issue out Warrants to the Sheriffs of the said Counties, to impower him to impanel and return a Jury of Free-holders, to appear before the said Commissioners; which Jury, upon their Oaths, to be administered by the said Commissioners, are to enquire and assess such Damages and Recompence as they shall think fit, to be awarded to the Owners, and all Persons interested, according to their several and respective Interests in the said Land or any Part thereof. And what Sum of Tobacco the said Jury shall adjudge the said Land to be worth, shall be paid to the said Owners and Persons interested, by such Person or Persons, as shall take up the said respective Lot or Lots proportionably thereunto.

Owners refusing to sell, the Lands to be valued by a Jury.

V. **And** the said Commissioners, or the major Part of them, are hereby impowered, by respective Warrants under their Hands and Seals, to summon the Surveyor-General, or the Surveyor of the County, to survey and lay out the said One Hundred Acres, in the Places aforementioned, in Manner and Form as aforesaid, to be marked and staked out as aforesaid. And when the same is so Surveyed and Laid out as aforesaid, and Valued as aforesaid, that then, whosoever shall make choice of any such Lot as aforesaid, and make Entry thereof, before and with the Officer and Person, as by the Commissioners shall be appointed to keep the Book for Entry of the same, and pay such Sum, or Quantity of Tobacco, as shall, by the Discretion of the Commissioners, be rated upon such Lot, and payable to the Owner of the said

Rights of the Purchasers how secured.