

be, and they are hereby appointed commissioners, who shall, on or before the first day of August next, meet at Barnsville aforesaid, and having so met, the said commissioners, or any two of them, shall have power and authority to direct the surveyor of Montgomery county, or any person they may think proper to appoint, to survey the said town and the several lots therein; and make out an exact plot thereof, and shall ascertain and limit the extent of the lots, streets and lanes thereof, most agreeably to their original location, according to the best evidence that can be obtained; and the said lots so laid out, shall by them be numbered one, two, three and so on, for distinguishing each lot from the other, and shall cause the said streets and lanes to be named by certain names; and the said commissioners, or a majority of them, shall have power to adjourn from day to day till the duties imposed by this act are fully performed.

2. AND BE IT ENACTED, That the said lots when they are surveyed and laid out by the commissioners aforesaid, or a majority of them, shall be, and are hereby erected into a town, to be called and known by the name of Barnsville; and the said commissioners, or a majority of them, are hereby directed to return a correct certificate and plot of the said lots to the clerk of Montgomery county court, who is hereby required to record the same among the land records of said county, and keep the original certificate and plot in his office, and a certified copy of the original, or record, or any part thereof, shall be conclusive evidence as to the bounds and lines of the said town and the lots thereof.

Lots erected into a town. Plot to be recorded.

3. AND BE IT ENACTED, That the said commissioners or a majority of them, are hereby authorised and required, (having first given twenty days notice of the time and place of their meeting, by public advertisement,) to issue summonses for such person or persons as may be applied for by any of the proprietors aforesaid, which said witnesses are hereby required to attend under the penalty of five dollars for every neglect or refusal, and to examine them upon their corporal oath or affirmation, (as the case may be,) touching and concerning their knowledge of the bounds, limits and extent of any of the lots, streets and lanes of the said town, and establish the same accordingly; and each witness attending under any summons issued as aforesaid, shall be entitled to receive one dollar for every day he shall so attend.

Witnesses may be summoned to ascertain boundaries of lots, &c.

4. AND BE IT ENACTED, That it shall be the duty of the proprietors of the lots, or any part of a lot in the said town, to provide boundary stones, and to have them marked and set up at the termination of the line or lines of their respective lots, in the presence of the said commissioners or a majority of them, which shall thereafter be deemed and taken to be the true bounds of the said lots, or any of them.

Proprietors to provide boundary stones.

5. AND BE IT ENACTED, If any of the commissioners shall die, refuse, neglect, or be rendered incapable to act, the remaining commissioner or commissioners may appoint some other person in the place of the person or persons who shall so die, refuse, neglect or be incapable to act.

Commissioners to fill up their own vacancies.

6. AND BE IT ENACTED, That each of the said commissioners shall be allowed two dollars per day, for each and every day they shall attend as commissioners aforesaid, and that the surveyor shall

Commissioners & surveyors compensation.