

prietors of the said One Hundred Acres, to sell any of the Lots therein to be laid out as aforesaid, or under a high and unreasonable Price, by which Means any Person may be prevented from purchasing the same, or by some Disability or Incapacity in such Proprietor or Proprietors, to convey the same; *Be it Enacted by the Authority, Advice and Consent aforesaid*, That it shall and may be lawful to and for the said Commissioners, or the major Part of them, to treat and agree with the Proprietor or Proprietors of the said Land, not already taken up, for the Price of the same, at any Time before the first Day of *October* next ensuing; and in case they make an Agreement for the Price with the Proprietor or Proprietors, that when the Lots shall be laid out, they set a Price on each Lot not already taken up or purchased, for which the Taker-up shall pay: But in case they cannot agree for the said Ground, that then they or the major Part of them, are hereby authorized, empowered, and required, Ten Days at least before the Day on which a Survey as aforesaid is directed to be made, to issue a Warrant unto the Sheriff of the said County, which said Sheriff is hereby authorized and required, upon Receipt, of such Warrant, to impanel and summon a Jury of Twelve substantial Freeholders, Inhabitants of the same County, to be and appear before the said Commissioners, or the major Part of them, at the same Town at a certain Day, being such Day on which the aforesaid Survey shall be made; which Jurors upon their Oath to them by such Commissioners, or the major Part of them, to be administered, who are hereby required and authorized to administer the same, shall enquire what Damages and Recompense ought to be awarded to the said original Proprietor or Proprietors of all such Lots as are not taken up and possessed by any Person or Persons other than such original Proprietor or Proprietors of the said One Hundred Acres, and the Payment of such Sum or Sums of Money or Tobacco, as such Lot or Lots as shall by the said Jury be adjudged worth to the Proprietor or Proprietors as aforesaid, or a Tender thereof by such Person or Persons who will be willing and desirous to take up such Lot or Lots aforesaid; and Refusal by such Proprietor or Proprietors, and such Payment or Tender and Refusal being duly proved, by the Oath of one or more lawful Witness or Witnesses, before Two Justices of the Peace for the said County, by the said Person or Persons intending to take up the same, and an Entry or Record thereof made by the Town-Clerk aforesaid, and returned by him to be lodged with the other Proceedings in the County-Court Office as aforesaid, shall give and make to such Person or Persons paying or tendering as aforesaid, an absolute Estate in Fee-Simple, in such Lot or Lots, such Person or Persons complying with the other Requisites in this Act mentioned; any Law, Statute, Usage or Custom to the contrary notwithstanding.

And be it Enacted, That all Lots hereafter to be taken up, shall be built upon and improved as according to the before Dimensions,

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Commis-
sioners to
agree with
the Proprie-
tors of
Lands, &c.

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What is to
be done in
case of the
Owners Re-
fusal of
Payment or
Tender.

Lots taken
up to be
built upon.