

case within the directions of this act, shall forfeit and pay to the lord proprietary, his heirs and successors, for the support of government, the sum of one thousand pounds of tobacco, to be recovered in any court of record within this province, wherein no essoyne, protection or wager of law shall be allowed.

*And be it further enacted* by the authority aforesaid, That if any suit or action be commenced or prosecuted against any person or persons for what he or they shall do in pursuance of the execution of this act, such person or persons, so sued, may plead the general issue, and upon any issue being joined, may give the special matter in evidence—and if the plaintiff shall discontinue his suit, or judgment pass against him, the defendant or defendants shall recover his or their double costs for his or their unjust vexation: Provided always, That in case the pretensions of any party grieved, shall be adjudged by the major part of the commissioners determining the bounds as aforesaid, to be of or to exceed the value of three hundred pounds sterling, that then in all such cases, such party may have an appeal from such determination and decree of the commissioners aforesaid, to the king's majesty in council, he or they giving security to prosecute such appeal, with effect, or otherwise pay and satisfy all such costs and damage as shall or may accrue to the other party for whom such sentence has been given by making such his appeal as aforesaid.

Provided nevertheless, and it is hereby enacted and declared, That the party for whom such sentence as aforesaid, shall be given, shall not any ways be delayed by such appeal to the king's majesty as aforesaid, but immediately put in possession of the lands within the bounds so ascertained as aforesaid; and also provided, That where any bounds of land have been already settled and determined by any law suits, arbitration, or otherwise, such determination appearing on record, the same so settled and determined shall remain and continue unalterable and no ways subject to any view or review of the commissioners appointed by this law; and that it shall and may be lawful for the provincial court of this province to hear and determine all actions of trespass and ejectments already depending before them: Provided always, That if any person concerned or interested in any of the lands in dispute, as aforesaid, shall happen to live in any of the remote counties of this province from the county where such land in dispute lies, or be out of the province, or beyond sea, that then the party complaining shall make publication, as before provided by this act, three months, the parties living in the remote counties, and twenty four months, the parties being out of the province, or beyond sea, before his application to the commissioners as aforesaid, which publication must be