

that Notice, according to the Directions of this Act, has been given, such Surveyor, in the Presence of such Freeholder, whether the Parties concerned attend or not, shall proceed to run out and adjust the Lines of such Land, and set up the Boundaries thereof, as aforesaid. And that the Variation may for the future be accurately observed, and the Deviation of the Needle ~~from the Direction it had at any particular Time~~, may at any future Time be certainly known,

Be it enacted, by the Authority aforesaid, That it shall and may be lawful, for the Justices of each County Court, in this Province, and they are hereby directed and required, as soon as may be, after *March* Court next, to be held for each County respectively, to employ some discreet and faithful Person, at the County Charge, to take a true Meridian, at some convenient Place in each County, and cause to be set up and fitted for Observations, and kept in good Repair, Two durable Pillars of Brick, or Stone, in the Plane of such Meridian, at a proper Distance from each other, so stand and remain, as Marks of the true Meridian Line for each respective County, and at the County Charge, to provide one or more well graduated Theodolite or Theodolites in every County, which Theodolite or Theodolites, and no other, shall be used by every Surveyor, in surveying Lands in his respective County; and the Justices of each County, with the Surveyor of the same County, shall, in Twenty Days after the Meridian in their respective County shall be so taken, and Theodolite or Theodolites provided, accurately observe how much the Direction of the Needle of the said Theodolite or Theodolites vary, or differ from the said Meridian, and the Variation or Difference so observed, they shall cause to be noted down, with the Day and Year when the Observation and Trial was made, in a Book to be prepared for that Purpose, and kept by the Clerk of their respective Courts, among the Records thereof; and the Surveyor or Surveyors of each County, are hereby ordered and required, every Year, on the second Day of *August* Court, in the several Counties, if it shall be a Day fit to take an Observation, if not, on the next fit Day, to produce the Theodolite or Theodolites belonging to his or their respective County, and the same to try, at the Meridian Line, in the Presence of the Justices, or any Three of them that the Court shall appoint for that Purpose, and on every such Trial and Observation, whatever the Needle shall be found to have varied from the Direction it had at the last preceding Trial, the said Justices shall cause to be noted down, with the Time of making such Trial, in the Book aforesaid; and the Variation so found, upon such Trial and Trials, together with the Variation by this Act ordered to be allowed for the Time preceding the first Observation that shall be made, as above directed, shall be allowed in re-surveying the Lines and Courses of all Lands within this Province.

And be it also enacted, That if any such Surveyor shall neglect or omit to try the Theodolite or Theodolites, and observe the Variation, at the Time, and in the Manner as by this Act is directed, or shall survey or run out the Courses of any Lands with any other Instrument than the County Theodolite, or that shall not make the Allowance for Variation in running the Lines or Courses of any Land, as by this Act directed, every such Surveyor, for every such Neglect, Omission or Transgression, shall forfeit the Sum of Fifty Pounds current Money, to be recovered by Action of Debt with Costs, or by Indictment, One Half thereof to the Use of the Informer, if any, and the other Half, if any Informer, or if none, then the whole of such Forfeiture to the Use of the County where the Recovery shall be had, to be applied towards the Discharge of that County Levy.

And be it further enacted, That wherever in the Certificate of any younger Survey, such Survey is said to run from any Tree, or to begin in the Line of any elder Survey, and to run the same, or the reversed Course or Courses of such elder Survey, or to run to and then with any such Survey, or the reversed Course or Courses thereof, or wherever in any such Certificate, it shall manifestly appear to be the Intention of the Surveyor, to run such younger Survey with the Line or Lines of any elder Survey, in all such Cases the Surveyor shall make such Allowance in running the Lines of such younger Survey as will adjoin the same to such elder Survey, according to the original Design and Intention in making such younger Survey, any Thing in this Act to the contrary notwithstanding.

And be it further enacted, That the same Allowance shall be made by the Surveyor in running Lands held under Deeds of all Kinds, which originally separated any Part of an entire Tract from the whole, as on the Certificates of each original Survey, and under the same Penalties as are directed by this Act with Respect to Certificates, any Thing herein to the contrary notwithstanding.

And be it hereby enacted and declared, That whenever any marked Stone, or other durable Boundary shall be set up at the End of any Line of a Tract of Land, according to the Direction of this Act, whoever shall remove, cut down or destroy any such marked Stone, or other durable Boundary, shall incur the Penalty imposed on Persons who shall cut down or otherwise destroy any boundary or bounded Trees, either of his own Lands or of the Lands of any other Person, by an Act of Assembly of this Province, entitled, *An Act for preventing the destroying of Boundaries or Bounded Trees, and the Bounding of Trees, or setting up of Boundaries without lawful Authority.*

And whereas this Act may induce many People to have their Lands surveyed, whereby the true Bounds and Limits thereof may be ascertained and perpetuated, which may make Discoveries to Land-mongers and prying mischievous Persons of small Points and Slips of Vacancy adjoining to many Surveys, and it is highly reasonable the Person or Persons, to whose Land such Points, or other small Vacancies join, should have a Preference in securing the same,

Be it therefore enacted, That whenever any vacant Land, not exceeding the Quantity of Fifty Acres, in any one Place, shall be hereafter discovered, the Person or Persons, to whose Land the said Vacancy joins, shall have the Pre-emption of such Vacancy; provided always, that if such Person or Persons, or some one of them, to whose Land such Vacancy shall adjoin, do not survey and take up the same within Twelve Months after Discovery and Notice thereof given to him or them, then it shall and may be lawful for any other Person to survey and take up the same; provided also, that when such vacant Land, so as aforesaid discovered, shall be

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