

Arbitration or award under hand & Seale given before the making of this Act, although such Judgments and awards are given Contrary to the meaning of this Act but all such Judgments and all Such awards tho: they might not otherwise be good about Land shall be and are hereby Confirmed other Errors in Law Excepted, Provided such Awards shall within a Year and a Day be Recorded in their respective County Records after the Publication of this Act and Acknowledged in open Court by one of the Arbitrators or Umpire. And if a Certificate be so defective that one whole line be left out yett if the other lines be soe Express that they show what Length and breadth were designed, and that the Length and breadth would make out the quantity of Land which the taker up had due to him and the lines Express do infer to Common reason and Sence, that the lines were left out by mistake, in all Such Cases the first taker up shall hold his Land ag<sup>t</sup> any later taker up as if the Certificate were good and intire. And if any Man hold a Tract of Land which is Express to be bound on another Tract and to begin att a Markt Tree Standing in the line of that Tract on w<sup>ch</sup> it is said to bound but the first Markt Tree Cannot be proved nor found Yet if any other markt Tree of the Tract be found and proved That found and proved Tree shall rule the Bounds of the Tract yet so as onely the Precise Number of Pearches shall be held but if no tree be found the Owner may Resurvey & lay it out again Beginning in the line where it was at first said to begin But it shall then be Accounted Latter then any other Survey in them Parts and the taker up shall not intrude nor hold part of any Tract of Land whereon a Plantation is Seated and whereof there is Certain Prooff of the Bounds because a Certainty is to be Preferred before an uncertainty But what Land he shall include by his Survey Clear of other Tracts he may hold for ever by Virtue of his first Warrant and the like shall be adjusted in all Paralell Cases where no Tree is to be found if the Owners shall think it any Advantage by Saveing his Warrant but then after Such resurvey he shall not pretend to his former survey any more forever Yet if any Such Markt Tree was said to begin in the Point of a fork, att the Mouth of a Creek or Such other place which is as it were a Naturall Beginning there if no tree is found Yett if the Place is Certainly known and Proved a Jury shall find a Point or Prick to begin at, most agreeable to the descripcōn in the Certificate of Survey or Grant of the Same no Evidence Admitted to prove a Markt Tree where the Record Expresses none And Lastly Be it further Enacted &c. That if any Controversy happen about the Bounds of Land, whereof there is no parrell within this Act The Provincial Court shall not Give Judgment therein but

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