

of the said County for the time being to be and Appear ^{C. P.} before the said Commissioners att a day and place therein to be prefixed the service whereof in such manner and forme as is Usually Allowed to be good Service in Cases of Subpenas shall be Accounted to be a good Service in the Cases af^d and ^{p. 66} that upon Appearance or Default of any person or persons Interested in any manner as af^d upon Oath thereof made before the said Commissioners they shall and may Notwithstanding proceed to the Determination of such Controversy saving always that when any person or persons soe to be Sumōned shall be beyond the seas or Cannot be found to be Sumōned that no proceedings shall be thereupon had untill after Eighteen months then next following and then Oath being then made of Endeavouring to serve the said Sumōns the said Commissioners shall And may proceed as if the said party had been Actually Summoned unless the said person or persons soe absent upon a new Sumons after his or their returne or being found shall sooner Appear.

And be itt further Enacted by the Authority af^d that if the Surveyor of the County af^d shall willfully forbear or Delay to be and Appear According to the Tennor of the same Sumōns such Surveyor so willfully refuseing or Delaying shall fforfeit for every such offence five hundred pounds of Tob^o to the Kings Majesty his heirs and Successors for Support of Government to be recovered in Any Court of Record by Action of Debt bill plaint or Information wherein no Essoyne protection or wager of Law to be Allowed.

And if Any witness soe Sumōned shall Neglect to Appear att the time and place Notified or shall when appearing ^{p. 67} refuse to give his or their Evidence itt shall be Lawfull for the said Commissioners to Issue Attachment Against him her or them to Cause him to Come or Committ such Witnesses for such their Obstinacy till they give their Evidence as the Case may require and for the better Discovery of the true bounds of the Lands in Dispute the Commissioners or any three of them as af^d being upon the Land may Cause the said Lands and alsoe any other Adjacent Lands for their better Information to be Surveyed and having Duly and Impartially Considered as well the proofs and Allegations of both parties as all other Circumstances nearest Concurring with the true Intent Designe and Meaning of the Originall Surveys shall then and there determine and Ascertain the Limitts and bounds of the said Lands in Dispute as they or the Major part of them then and there present shall adjudge most Just and reasonable and Cause the same Lands in their presence to be new markt out with such marks and bounds as to them shall be Adjudged most plaine and Durable and Cause three