

Session
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cution of this Act, such Person or Persons, so sued, may plead the General Issue, and upon any Issue Joyned, 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 satisfie all such Costs and Damages 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 Lands 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 such 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 made appear before the Commissioners Commissioned as aforesaid, at the time of such Application, whereupon the Commissioners may proceed to determine such Bounds of Land so prayed to be ascertained, as effectually to all Intents and purposes, as if the Parties concerned, or any ways Interested were Personally present.

And whereas several Persons by their Humble Petition, have represented to this present Sessions of Assembly, That they being concerned and interested in Lands, the Bounds whereof have been in Dispute, and whereupon the Commissioners of the several Counties for ascertaining the Bounds of Land pursuant to the Act of Assem-