

said trees, and run to the other ; but the line prescribed runs directly contrary (that is to say) in runing up the said river, creek &c. instead of down the river, creek &c. or down instead of up to the second tree, and leave out the intended land where such mistake is manifest ; and the first taker up hath as aforesaid, seated and improved betwixt the said trees, and never claimed other land by virtue of the grant but the land betwixt the said trees, the first taker up shall enjoy it as if no such mistake had been, and if there be any other errors in his back lines, it shall be regulated as in like cases, is before exprest for other land and the second taker up may by virtue of this act and his lordships favour make use of his warrant else where, and the first taker up shall reimburse the second his reasonable charge for letting his survey fall to be adjudged by the county court upon his petition or motion, the first taker up being first called and heard, and after such judgment, award execution by fieri facias, or attachment ; but yet if such second survey have been made above seaven years before this present sessions and hath been seated and improved by the second taker up, and never yet seated and improved by the first taker up or his assignes, then the first taker up, and not the second, shall be putt to seek for the benefit of his warrant elsewhere, and this word up the river, creek &c. instead of down, or down instead of up, shall not vitiate any grant or deed by which land is conveyed from one man to another, where the rest of the words in the said grant or deed manifestly imply it only to be a mistake, and the first taker up shall rectify his survey, and take a new grant which shall be under the same rent and no other. Provided always, *And be it enacted*, that nothing in this act contained shall alter, change, make voyd, make erroneous, or defeat any judgment given and recovered in the provincial court before the making of this act, nor make void any arbitration or award under hand and 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, though 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 there 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 exprest that they shew what length and breadth were designed, and that the length and breath would make out the quantity of land which the taker up had due to him, and the lines exprest do inferr to common reason and sense, that the lines were left out by mistake: in all such cases the first taker up shall hold his