

Passed the 8th of June, 1717, and recorded in Liber L. L. No. 4. folio 372, one of the records of the laws of the late province now state of Maryland, belonging to the office of the court of appeals for the Western Shore.

TH : HARRIS, JR. Clk. C. Ap. W. S.

*Bacon's Note.*—"This act, together with the original act of 1715, Ch. 45, were repealed by 1718, Ch. 18, which his lordship dissented to; but would otherwise have expired with the original act on the 1st June 1719.

MARYLAND—APRIL SESSION, 1718.

[Chapter 18.] *An act for ascertaining the bounds of land within this province.*

For as much as at the first settlement of this province, the heathen indian enemies were so very numerous and barbarous, that both the persons desirous to purchase land and to settle and inhabit the same, and also the surveyors appointed by the right honourable the lord proprietary to survey and lay out such lands to the said persons, were deterred from making so strict a scrutiny into the true situation of the several rivers, creeks and branches of this bay, so as to prevent the interference of the bounds limited and appointed by the said surveyors, for each tract, and from setting off the courses or measuring the true distances of lines directed to run to the several trees or other bounds there prescribed to limit and bound the said several tracts of land, and also the said surveyors themselves so appointed, were too often both very ignorant and negligent in performing their duty therein; And also for as much as the bounded trees by them formerly bounded, for very many of the said former surveyors are dead, and so far lost and forgotten, that no remains or memory are left of the same, and the other boundaries, either of bays, rivers, creeks or branches, as also of courses and distances, so darkly and unskillfully exprest, that many great controversies and suits have been and are daily moved thereupon, and no certain method, as yet, being prescribed for the speedy determination thereof, but a course at comon law, and trial by juries in the provincial court, which juries never having had any view of the lands in debate, so as to be made sensible of the true situation of them, (whereby the true intent and meaning of the dark and unskillful expressions of the aforesaid surveyors are the better to be understood) cannot possibly give a just verdict thereupon, which occasions most common and frequent appeals to the superior courts, and vast additional charges thereby accruing, insupportable to the inhabitants of this province, especially the poorer sort, who are thereby frequently ruined or very much impoverished, and many times forced to relinquish and give up their just right