

with a stream or cove, and at last by generall bounds is described to be bounded by the said river, creek, &c. and the first line is drawn from the river, creek, &c. into the woods and from the river, &c. and there are other courses prescribed and at last come to the river, &c. yett, if any of the former courses come to the river, branch, or cove, the courses shall there determine, and thence by the water be bounded and shall not pass over, but the owner shall be content with what land is between such lines and the water, be it never so little, and apply himselfe (if he please) to his lordshipps favour for the benefit of his warrant as in the twelfth example. If a tract of land be described to begin att a certein tree, and to run a certein course, expressing no certein number of perches till it intersect another tract of land which course goes clear from such lands, and no determinate number of perches to limitt the lines, 'tis a voyd survey and shall be deemed to include nothing by one part of one side and another part of another side of a river, creek, branch, or cove, &c. If a tract of land begin att a certein markt tree running to the head of a branch, creek, or cove, it shall be determined as aforesaid is described in such like cases, and then if for more breadth it begin againe att the head of the said river, creek, branch, or cove, and on the other side thereof the beginning on the other side shall be adjudged to be right opposite to the ending of the first side, except there be a markt tree expresst on the second side to regulate that part, otherwise if one tract of land be so laid out, and the one part of it lyes on the one side of a former survey, and another part of it lyes on the other side of the former survey, and part is taken away by the said former survey, yett the owner of the second tract shall hold all that is clear of the former survey and all former surveys whatsoever on both sides, for the land is not granted perch by perch as the surveyor measures it, but the grant is uno flatu all att once of every part of it. And if any mans marked tree or trees stand within another mans land, the owner of the said land in whose land the said trees stand, shall not on any pretence cutt down or destroy the said tree or trees, except he first give notice to the owner of that land whose bound such tree is, and there in his presence either plant other sufficient locust or cedar post, or stone or stones in the stead and place of that tree, under the penalty of six pounds sterling, to be paid to the party whose bounds the said tree was, to be recovered by action of debt, &c. And it is hereby made lawful for every man having such tree or trees within another mans land, and having a speciall warrant of resurvey or order of provincial court for resurvey, or order of county court for resurvey of their land to ascertain his bounds, having asked leave and being denied,