

with surveyor, jury witnesses, and chain carriers, go on such land whereon or wherein his marked tree stands, and from such marked tree measure his course and distance required, provided he makes all fences as good and tight as they were found, and that he nor any one along with him in measuring the same, do not manifest damage, detriment, or harm to the owner of the land whereon they goe, or if accidentally any damage happen, that then in such cases he proffer and within three days make repairation and amends.

*And be it enacted*, by the authority aforesaid, That no man shall have ten per cent given him, to the precise number of perches, except it be by that addition of ten per cent to reach to a markt tree or other naturall bounds ; but if he have no markt tree or naturall bounds, he shall not take ten per cent to the damage of any latter survey—begin of from the first survey and run towards it, and there be ten per cent betwixt the end of the precise number of perches, the first taker up shall enjoy it, and in all such cases if ten per cent added to both will make their land to bound on each other, no third person shall take up or hold any land betwixt them.

*And be it enacted, &c.* That if any man hold land by a river or creek side, yet so as there lies marsh betwixt the firme land and the river, such adjacent marsh shall not be taken up, or being allready taken up by any other shall not be held, but such adjacent marsh shall be deemed and adjudged absolutely to belong to the land to which it is adjacent, and be bounded by the same courses drawn from the firme land into such river or creek as the firme land is bounded by, except in Somersett county, and upon Delaware and the ocean.

*And be it enacted, &c.* That if any man hold land which is bounded or exprest to be bounded by a line drawn from a certain tree or other individuall point of intersections, a certain course to a certain markt tree in the woods, and the said tree or trees do not correspond to the said certain course or courses, but that the courses and trees differ very much as it is too common, and that the courses prescribed give the quantity of land due to the taker up, in such cases wherein it is not otherwise before in this act provided ; in ascertaining the bounds of lands by the water side, the lines shall be the bounds of such lands, and the trees shall be deserted, and one line shall be drawn from the end of another, because the errors of such surveyors was in the misplacing of trees : Yet so if any second taker up hath begun att any the aforesaid deserted trees and run lines parallel to the first taken up lands, and that by this regulation some part of the land of the second taker up will now fall within the lines of the first taker up, in such case the