

case of difference, according to the Intent of the Survey-  
or clearly proved. And these Words *up the River, Creek,*  
*&c.* instead of *down*, or *down* instead of *up*, shall not vitiate  
any Grant or Deed, by which the Land is convey'd,  
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.

XXVIII. Provided nothing in this Act shall alter,  
make Erroneous, or defeat any Judgment in the Pro-  
vincial Court before the making this Act, nor any Arbit-  
ration or Award under Hand and Seal, before the ma-  
king this Act, Errors in Law excepted. Provided such  
Awards be recorded in their respective County Records  
within a year and a day after the publication of this Act,  
and acknowledged in open Court by one Arbitrator or  
Umpire.

XXIX. If in a Certificate one whole Line be left out,  
yet if the other Lines be so exprest, that they shew what  
length and breadth were design'd, and which wou'd  
make out the quantity of Land due to the taker up, in  
such case the first taker up shall hold his Land against  
any other, as if his Certificate were intire.

XXX. If a Man hold a Tract of Land, exprest to  
bound on another Tract, and to begin at a markt Tree  
standing in the Line of that Tract, on which it is said to  
bound; but if the first markt Tree cannot be found, yet if  
any other markt Tree of that Tract be found and proved,  
that Tree shall rule the Bounds of the Tract. If no Tree be  
found, the Owner may re-survey and lay it out again,  
beginning at the Line where it was first said to begin.  
But it shall be then reputed later than any other Survey,  
and the taker up shall not intrude upon any other Tract  
where a Plantation is seated. And the like shall be ad-  
judged in all parallel cases where no Tree is to be found.  
Yet, if any such markt Tree was said to begin at a noted  
place, if such place is certainly known and procure d, a  
Jury shall find a point to begin at most agreeable to the  
Description in the Certificate or Grant of the same.

XXXI. If any Controversie happen about Bounds of  
Lands, whereof there is no Parallel within this Act, the  
Provincial Court shall not give Judgment therein, but  
it shall be put to the Assembly, to be determined by an  
Act.