

WHEREAS the Surveyors as was but very many times by these Branches nor for fear of the Indian Shoar to examine the the sides of such Rivers Creeks &c. did without further troubles prescribe certain bounds and courses to the several tracts by them surveyed or intended to be surveyed, and the said bounds are generally exprest in such uncertain terms, and being many times contradictory and inconsistent in themselves, whereby it comes to pass that at this time is very uncertain, and many chargeable and tedious Suits in Law happen about such bounds, which are most times (as it were) by the favour and inclinations of Jurors arbitrarily determined differing ways, in parallel cases, to prevent which for the future, and that judgment may go more direct and that Neighbours may more certainly know their bounds and avoid trespassing upon one another, and for the more general ascertaining the moors and limits of every particular Mans Lands, there can be no better way than by a Law, to put one certain interpretation upon such contradictory expressions observed to be in ancient Certificates, and by demonstrating one example of each interpretation in a fair parchment to be to this Act annexed as part of the said Act.

of Lands in this Province, necessity commissioner such persons to be Surveyors, and for the winding Rivers, Rivulets Creeks and Coves many another were unknown to the Surveyors, then numerous and strong, that they stay on and courses aforesaid, but marking some trees by the sides of such Rivers Creeks &c. did without further troubles prescribe certain bounds and courses to the several tracts by them surveyed or intended to be surveyed, and the said bounds are generally exprest in such uncertain terms, and being many times contradictory and inconsistent in themselves, whereby it comes to pass that at this time is very uncertain, and many chargeable and tedious Suits in Law happen about such bounds, which are most times (as it were) by the favour and inclinations of Jurors arbitrarily determined differing ways, in parallel cases, to prevent which for the future, and that judgment may go more direct and that Neighbours may more certainly know their bounds and avoid trespassing upon one another, and for the more general ascertaining the moors and limits of every particular Mans Lands, there can be no better way than by a Law, to put one certain interpretation upon such contradictory expressions observed to be in ancient Certificates, and by demonstrating one example of each interpretation in a fair parchment to be to this Act annexed as part of the said Act.

Wherefore the Delegates and Representatives of the City of St. Marys and of the several & respective Countys of this Province humbly pray that it may be Enacted,

AND BE IT ENACTED by the Kings most excellent Majesty by & with the Advice and Consent of this present General Assembly and the Authority of the same, that if any Man or his Assigns hold a tract of Land lying in the woods, and from his first or other markt tree or end of the line, or otherwise run a certain course & certain number of perches to a Bay River Creek Branch or Beaver dam which have a constant Stream or certain Bed of a Channel if the course directs thereto and the number of perches fall short thereof, in such and the like cases, if adding fifty per cent. thereto will reach the said Bay River, Creek, Branch or Beaver dam exprest in the said grant, the said line shall be extended thereto, as in other cases hereafter, being certain natural and unalterable bounds.

And where the said line intersects the water of the said Bay, River, Creek or Beaver dam or Run of the said Branch, which are, or shall be exprest in such grant, such intersection shall be deemed and adjudged the certain prick or point of such tract of Land, but if the said adding of the said fifty per cent. will not reach the said Bay or River &c. exprest in the said grant, & such certain number of perches give the quantity of Land, which by conditions of Plantations is exprest in the grant of the said Land to have been due to him with his said certain number of perches, & shall not extend his bounds further then his certain number of perches to the prejudice of any latter Survey, notwithstanding any gift, grant or patten of confirmation granted or made after the date of any certificate of latter survey.

And if a tract of Land by a River, Creek or Branch side, and from any markt tree or end of a line run a certain course and number of perches up the River creek or branch to the head of the said River Creek or Branch, and the Record of Survey do not exprest any markt tree to which as an undevidable prick the line might be supposed to come, the said tract shall be concluded by the certain number of Perches, but if in this or the former case, there be a markt tree exprest in the certificate of Survey and well and sufficiently proved, to which either the course or the creek, River or Branch directly leads, and may be attained by adding ten per cent to every hundred perches of that line which leads to it, the owner or owners of such Land shall hold that surplusage granted by the said ten per cent. against any latter taker up, and even against the Right Honourable the Lord Proprietor his Heirs and Successors, at the granted Rent without any alteration by reason of the words more or less.

And if the said markt tree be attained by adding of fifty per cent. to every hundred perches of the said line which leads to it, the owner of such Land shall hold that