

of the bounds, because a certainty is to be preferred before an uncertainty, but what land he shall include by his Survey clear of other tracts he may hold for ever by vertue of his first Warrant; and the like shall be adjudged in all parallel cases where no tree is to be found, if the owners shall think it any advantage by saving his Warrants, but then after such Survey he shall not pretend to his former Survey any more for ever; yet if any such mark tree was said to begin in the point of a fork at the mouth of a creek or such other place which is as it were a natural beginning, there if no tree is found yet if the place is certainly known and proved, a Jury shall find a point or prick to begin at most agreeable to the description in the certificate of Survey or Grant of the same, no evidence admitted to prove a mark tree where the Record expresses none.

And lastly, Be it further Enacted &c. that if any controversy happen about the bounds of land, whereof there is no parallel within this Act, the Provincial Court shall not give Judgment thereof, but it shall be put to the Assembly to be determined by an Act and to be made a president for the future.

An Act of gratuity to Colonel Ninian Beale.

The humble Petition of Henry Wallace of Kent County.

An Act for continuing the late Act for imposing three pence per Hogshhead upon Tobacco to the use of his present Excellency from the time of his arrival here to the end of this Sessions of Assembly.

An Act for settling Assemblys and Provincial Courts at the Port of Annapolis in Ann-Arundel County.

BE IT ENACTED by the King most Excellent Majesty by and with the Advice and Consent of this present General Assembly and the Authority of the same, that the Port of Annapolis in Ann-Arundel County be the chief place and Seat of Justice within this Province, for holding Assemblys and Provincial Courts, and that all Writts, Pleas and Process issuing or that has issued out & returnable to the Provincial as aforesaid, or to the Court of Chancery, shall from and after the end of this present Sessions of Assembly continue and be made returnable to the Port of Annapolis in Ann-Arundel County aforesaid.

An Act for raising a supply towards the defraying of the publick charge of this Province, and to prevent too great a number of Irish Papists being imported into this Province.

BE IT ENACTED by the Kings most Excellent Majesty by and with the Advice and Consent of this present General Assembly and the Authority of the same, that from and after the publication hereof all Masters of Ships or others importing Irish Servants into this Province by land or by water, at the time of their entry shall pay unto the Naval Officer for the time being belonging to such Port or place where they make their Entry the Sum of twenty Shillings Sterling per Pole towards the defraying of the publick Levy of this Province for every Irish Servant so imported, on penalty and forfeiture of five pounds Sterling per Pole for every Servant so concealed at the time of his entry aforesaid, the one half thereof to be appropriated to the uses aforesaid, the other half to the Informer or him or them that shall sue for the same to be recovered in his Majesty's name in any Court of Record within this Province by Action of Debt Bill Plaintiff or Information, wherein no Stay or Protection or Wager of Law to be allowed.

And Be it Enacted by the Authority aforesaid, that for every Negro so imported into this Province either by land or water, the importor or importors of such Negro or Negro's shall pay unto the Naval Officer aforesaid the Sum of twenty