

have not made a deed of gift for the same or otherwise refuse so to do and in confidence of whose promise the parish have been at the charge of erecting and building their Churches thereon be & remain to the use of the parish for ever against all claims and pretensions of claims made or that hereafter shall be made by such donors or grantors or by his or their Heirs Executors or Assigns as firmly & absolutely as if the same had been made over by Deed of Gift Grant or otherwise inrolled & recorded as aforesaid.

And to the End it may be known what Lands have been so given to the use of any Church or Chapel aforesaid & made over & confirm'd by deed of gift or grant as aforesaid the Grand jury in each respective County within this Province next after the publication of this Act shall have in charge to inquire by what titles such Lands whereupon the several Churches or Chapels aforesaid within their respective parishes and in their precincts are held and to render an account thereof to the Court who are hereby empower'd where any such Lands shall appear to be given and not confirmed as aforesaid in open Court to examine witnesses *in perpetuam rei memoriam* and the same cause to be recorded in the County Records which shall be deem'd adjudg'd and taken in all Courts of Record within this Province as sufficient proof of the donation or grant as also of the quantity of acres given or granted as aforesaid, & in case it shall appear upon such examination that lands have been given for the use of any Church Chapel or Church-yard aforesaid but the quantity thereof not mentioned by the donors or grantors thereof as aforesaid, that then & in every such case the vestry of the respective parish where such gift or grant hath been made & the quantity not ascertained as aforesaid may demand & take of such lands for the use of the Church & thereto adjacent two acres and no more which shall be surveyed & staked out & make returns of two certificates thereof one of which must be recorded in the County Court and the other in the high Court of Chancery there to be regulated *in perpetuam rei memoriam* as aforesaid.

And be it further Enacted by the authority aforesaid by & with the advice & consent aforesaid, that where the Vestry of any parish within this Province have or shall think convenient to place either Church or Chapel of ease within their respective parishes for the better convenience of their parishioners, but the owner or owners of such Land chosen out & appointed by such Vestry as aforesaid for the use of their parish aforesaid either refuse to make sale thereof or are unreasonable in his or their demands for the same or otherwise incapacitated by Non age *non sane memorie* or beyond the Seas, that then & in every such case the respective Vestrys of the respective Parishes shall apply themselves to the Commissioners of the County Court whereto they belong, upon whose application the said Commissioners shall forthwith grant their Warrants to the Sheriff of their County thereby requiring him at a certain day & time to be by them nominated & appointed to impanel a jury of substantial Freeholders next adjacent to the Land in question aforesaid, which said Commissioners & Jury aforesaid shall proceed in all things as by another Act of Assembly (intituled *An Act empowering the Commissioners of the several & respective Counties to take up & purchase Land for their County Courthouses.*) they are directed not exceeding two acres as before in this Act mention'd & express, according to this Act or any other ordain'd to the contrary notwithstanding.

It is also declared that the Grantees of Land lying within the Indians Land may have action of Trespas against such persons as cut Timber off their Land on pretence of having bought the same of the Indians.

RE further by Enacted & Declared by the Queens most Excellent Majesty by and with the Advice & Consent of her Majesty's Governour Council & Assembly of this Province & the Authority of the same, that the falling mauling & carrying away of Timber or purchasing or receiving any Timber by any person or persons upon pretence of having bought the same of the Indians, or upon any unlawful pretence whatsoever on or from off any lands within the bounds of the Indians Land and whereof any other person or persons have in him her or them the Fee be judg'd deem'd & accounted a trespass, & whosoever shall purchase or receive fall maul or carry away timber as aforesaid shall be deem'd & adjudg'd Trespassers and shall be liable to action or actions of Trespas, and the persons grieved shall & may recover their damages accordingly as if the grantor or pretence aforesaid did actually occupy & enjoy such Land and had improv'd it, any Law Act of Assembly or usage to the contrary notwithstanding.

An Act for regulating of Ordinaries,

FOR the better regulating of Ordinary keepers & Inholders within this Province for the future, and in pursuance of her Majesty's Royal Instructions for raising further Supplies for defraying the publick charge of this Province to effect which the Burgesses & Delegates of this present General Assembly do humbly pray that her Majesty will graciously be pleased to grant that it may be Enacted,

Not Assented to.

And Be it Enacted by the Queens most Excellent Majesty by & with the Advice and Consent of her Majesty's Governour Council & Assembly of this Province and the Authority