

great Controversies and suits have been and are daily moved thereupon, and no certain Method, as yet, being prescribed for the speedy determination thereof, but a Course at Common Law, and Tryal by Juries in the Provincial Court, which Juries never having had any View of the Lands in debate, so as to be made sensible of the true Scituation of them (whereby the true Intent and Meaning of the dark and Unskilful Expressions of the aforesaid Surveyors are the better to be understood cannot possibly give a just Verdict thereupon, which Occasions most common and frequent Appeals to the superior Courts, and vast additional Charges thereby accruing, Insupportable to the Inhabitants of this Province, especially the Poorer Sort, who are thereby frequently ruined or very much Impoverished, and many times forced to relinquish and give up their just-Right to their more Potent Litigious Adversaries, rather than suffer the loss of Time, fatigue and expence of a long Journey, and a longer and more tedious Attendance. And forasmuch as the Multitude of Cases Varying in their several Circumstances will not admit of any General Rule to be prescribed, whereby the Court and jury may adjudge of and Determine the Matter in Controversy, Therefore this Present General Assembly do humbly pray that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the advice and consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That nine Persons in each respective County of this Province, who are the best Skilled in the Art of Surveying, and best acquainted with the Nature and Design of antient Surveys, and of the best Reputation of the County (none of them being surveyors of the County) such as the Governour and Council, for the time being, shall think proper, shall be Commissioned and Impowered under the great Seal Used in this Province, by the Governour, for the time being which Commissioners by virtue of such Commission, and the Authority of this Act, are required to take the Oaths appointed by Law, and subscribe the Oath of Abjuration and Test, before any Persons qualified to Administer the same, as likewise the following Oath,

Nine Persons in each County that are best qualified.

Except the Surveyor --- to be appointed &c.

And take the Oaths.

I A. B. do Swear, That I will justly and truly execute the Powers and Authorities in this Act contained, according to the best of My Knowledge, without Favour or Affection to any of the parties concerned,

And Oath of Office.

So help me GOD.

And to meet at their severall and respective Court Houses the Second Day of every County-Court, to receive the Petitions (which must be in Writing) of all Persons that shall have Occasion to make Application to them, for the ascertaining the Bounds of any Land lying within such County; *Provided*, That the Party complaining or Petitioning Twenty Days before Preferring such Petition, shall have given due Notice to all Persons that are any ways Interested or concerned in the Bounds of such Land, by setting up Notes at the Court-House Door, and parish Church where the Land lies, Certifying the Time when such Party Designs to make Application to the Commissioners, at which Time and Place all Persons concerned in the Dispute about the Bounds of such Land, both Complainants and Defendants are required to meet, and in the Presence of the Commissioners then present to make Choice of any Number of the aforesaid Commissioners, not being less than three, to determine the Matter in Controversie and Dispute between them

To meet at the Court-Houses and receive Petitions in Writing.

After the Petitioner has given 20 Days Notice.

Parties to choose 3 or more of the Commissioners.