

the same, and the other Boundaries, either of Bays, Rivers, Creeks, or Branches, as also of Courses and Distances, so darkly and unskillfully expressed, that many 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 Tryals by Juries in the Provincial-Court, which Juries, having never had any View of the Lands in debate, so as to be made sensible of the true Situation of them, whereby the true Intent and Meaning of the dark and unskillful Expressions of the aforesaid Surveys are the better to be understood, cannot possibly give a just Verdict thereupon, which occasions most common and frequent Appeals to the Superiour 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 Rights to their most potent litigious Adversaries, rather than suffer the loss of Time, Fatigue, and Expence of a long Journey, and longer and more tedious Attendance: And forasmuch as the Multitude of Cases, varying in their several Circumstances, will not admit of any General Rules to be prescribed, whereby the Court and Jury may adjudge of and determine the Matter in Controversy; Therefore this present General Assembly do pray, that it may be Enacted, And be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of His Majesty's Governor, Council, and Assembly of this Province, and the Authority of the same, That Five Persons in each respective County of this Province, who are best skilled in the Art of Surveying, and best acquainted with the Nature and Design of former Surveys, such as the Governor and Council, for the time being, shall see proper, shall be Commissionated and Impowered; under the Great Seal used in this Province, by the Governor for the time being, who by Virtue thereof, and the Authority of this Act, shall or may, with or without Adjournment, from time to time, meet, and summarily, and without the Formalities of Proceedings used in Courts of Law or Equity, by Testimony of Witnesses upon Oath, Examination of Parties interested, or by all or any of the said Ways, or otherwise, at their Discretion, from time to time, to hear and determine all Differences and Controversies, which hereafter shall or may happen in their several and respective Counties, between any Persons therein, of, for, touching, or concerning the Bounds and Meets of Land only; which said Commissioners shall take the following Oath:

I A. B. do Swear, That I will Justly and Truly Execute the Powers and Authorities in this Act contained, and according to the best of my Knowledge, without Favour or Affection to any of the Parties concerned.

So Help me GOD.

AND for that it may be highly necessary, that certain Times be appointed for the said Commissioners to meet at a certain Place, whereto all Persons agrieved may repair to make Application for Redress; Be it Enacted by the Authority aforesaid, That the said Commissioners shall appoint certain Days, and make Publication thereof, whereon to meet at the Court-House in each respective County; at which Day and Place the said Commissioners, or any Three or more of them, upon Complaint made by any Person, touching any Difference or Dispute, concerning the Bounds or Limits of any Tract or Tracts of Land, lying and being within their respective Counties, shall appoint a certain Day or Days, on which the said Commissioners, or any Three of them, at the least, not being any ways related to either Complainant or Defendant, either by Consanguinity or Affinity, or any ways interested in such Dispute, unless by mutual