

the uses aforesaid, to be recovered by action of debt, bill, plaint or information.—*ibid.* § 3.

3. In all such prosecutions, the attorney general, &c. shall be as particular as possible in describing the place, or lands affected by the setting up or destroying such boundaries.—*ibid.* § 4.

4. On petition of any land-holder seized or possessed in his own or any other right, for a commission to examine evidences to prove the bounds of his land, or other lands whereon the same may depend, &c. the county court may grant a commission to four substantial freeholders in the county, no way related to the parties nor interested in the land; any three or two of which (being first sworn duly and impartially to examine and certify such evidences) may summon all such evidences as shall be nominated by the petitioner or other person concerned, to appear before them at a day appointed, upon the land; and shall examine all such evidences upon oath, concerning the bounds thereof, and reduce such evidences into writing, in presence of all the parties concerned who shall be present; and return the same to the county court, to be recorded in perpetual memory, &c.—1723. c. 8. § 2.

5. All examinations so taken, shall be as good as if taken according to the rules and practice in chancery; any defect in form, &c. notwithstanding—*ibid.* § 3.

6. The commissioners so appointed, shall affix public notice, at the parish church where the land lies, intimating the time and intention of their meeting, three sundays at least before such meeting: And the like notice shall be put up at the most public places of the county. Twenty days before such meeting.—*ibid.* § 4.

7. Where any person known to be interested, lives out of the county, a like note shall be fixed upon the church door of the parish wherein such party resides, 40 days before such meeting.—*ibid.*

8. The commissioners shall return certificate of such notice having been given, together with the examination of the witnesses.—*ibid.*

9. The commissioners and evidences shall have the same allowance as justices and evidences in the county courts; to be delivered in the same manner as officers fees.—*ibid.* § 6.

10. The surveyor may insert in any certificate any boundary artificial or natural, as being at the end of the distance expressed, provided he shall actually measure such distance; and in case the length of the line expressed in the certificate shall not reach the boundary, and the line shall not have been actually run, on *caveat* against grant issuing on such survey