

Defendants are required to meet and in the presence of the Commissioners then
 present to make choice of any Number of the said Commrs. not being less than
 three to Determine the Matter in Controversy and Dispute between them
 Concerning such bounds of their Lands. Such Choice to be noted & Certified on
 the back of such Petition by the Commissioners then present a^d number of
 Commissioners being mutually Chosen by the parties Contending and Certified as a^d
 shall proceed to appoint a day and make Publick Declaration thereof the day of the
 making such Choice and order notes to be set up at the Court House door and
 parish Churches Mills and most frequently Towns in the said County (not being
 less than five weeks from the time of such Election) to meet on the Lands in
 Dispute and shall Issue out Summons in writing for all such Evidences or
 Witnesses as shall be to them Nominated by either or any of the parties as they
 or either or any of them shall require the same, requiring them to meet at the
 time and place appointed to give Evidence what they know Concerning the
 bounds of such Land, and likewise Issue out a Summons to his Lordships
 Surveyor of the County to attend the said Commissioners at the time and place appointed
 the Service of all which Summons in such manner and form as is usually
 Allowed to be good Service in Cases of Subpena shall be accounted good in the
 Cases a^d. - AND that if the Surveyor of the County a^d shall Willfully forbear
 or Delay to be and appear According to the Tenor of the same Summons
 such Surveyor so wilfully refusing or Delaying shall forfeit for Every such
 Offence five hundred pounds of Tobacco to his Lordship his heirs and Successors
 for Support of Governm^t. to be recovered in any Court of record by Action of Debt
 Bill Plaint or Information wherein no Escoyne protection or wager of Law
 to be allowed - and if any witness so Sumoned shall neglect to appear at the
 time and place Notified or shall when appearing refuse to give his or their
 Evidence it shall be Lawfull for the said Commissioners to Issue a Writ
 against him her or them to cause him to come, or Commit such Witness
 such their Obstinacy till they give their Evidence as the Case may require
 AND for the better Discovery of the true bounds of the Lands in Dispute the
 Commrs. a^d being met at the time appointed upon the Land may cause the
 said Lands, and also any other Adjacent Lands for their better Information
 to be surveyed and having duly and Impartially considered as well the
 proofs and Allegations of Both parties as all other Circumstances necessary
 Concurring with the True Intent Designe and Meaning of the Original
 Surveys shall then and there Determine and Ascertain the Limits
 bounds of the said Lands in Dispute as they or the Major part of them
 then and there present shall Adjudge most Just & reasonable
 cause the same Lands in their Resolves to be new marked with
 such Marks and bounds as to them shall be judged most