

B I L L,

ENTITLED,

An Act to redress the Evils arising from the Variation of the Compass in surveying Lands.

WHEREAS it appears to this General Assembly, that there hath been for many Years past, a Westerly Variation of the Compass, and that it is found, by Experiments, that the said Variation hath been, for at least Forty Years past, and still is, decreasing, or that the Direction of the Needle hath inclined and approached, and still doth incline and approach towards the true North Point, at about the Rate of Three Minutes in One Year, or One Degree in Twenty Years; by Means whereof, if the Needle be alone regarded, every Survey will be continually changing its Place, and no Tract of Land heretofore surveyed within this Province, can be again surveyed or run out, agreeable to its ancient Location; from whence great Contentions must arise among the People of this Province, and Landed Property be rendered altogether precarious: For Remedy whereof, and the better to ascertain the true Situation of any Tract of Land, according to the original running or laying out thereof;

Be it enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Decrease of Variation or Inclination, and Approach of the Needle, from the Westward towards the true North Point, shall be estimated and taken, to have been, for at least Forty Years past, at the Rate or Quantity of Three Minutes in every One Year, or One Degree in every Twenty Years; and that, in running the Lines or Courses of all Lands in this Province, surveyed and laid out within Forty Years next before the Time of the first Experiment and Observation of the Variation, by this Act directed, so far as the Limits of such Tract, or Tracts of Land, depend on Course and Distance only, there shall be an Allowance made for Variation, at the Rate above-mentioned, according to the Length of the Time between the Date of the Certificate of each respective Survey, and the Date of the first Experiment and Observation of the Variation by this Act directed as aforesaid; and from and after the said first Experiment and Observation, a farther Allowance shall be made, at such Rate as the Needle shall be found to vary, or to have varied, from the Direction it had at the Time of the said first Experiment and Observation: That is to say, in running the Line and Courses of all such Lands, the Instrument by which they are run, shall always be directed to the Left Hand of the Courses mentioned in the Certificate, or Patent, so many Degrees and Minutes, as such Allowances shall amount unto, computing the Time from the Date of the Certificate until the Time of such Running; and that in running the Lines, and Courses, of any Tract of Land of an older Date than Forty Years back, so far as the Limits of such Tract of Land depend on Course and Distance only, there shall be allowed, for Variation, Two Degrees and no more, up to the Time of the Experiment and Observation before-mentioned; and from and after the Time of the said Experiment and Observation, the same Allowance shall be made, and in the same Manner, in the Lines and Courses thereof, as in younger Surveys; and the Lines and Courses of all Lands run, with the Allowance and Allowances for Variation, as in this Act directed, shall be deemed and taken to be the true Lines or Courses of the said Lands.

And be it enacted, That it shall and may be lawful for every Person, together with the Surveyor of the County, and Two or more reputable Freeholders of the Neighbourhood, not related to either of the Parties, or interested in the Lands, to run out and adjust the Lines of his Lands, according to the Directions of this Act, and to set up marked Stones, or other durable marked Boundaries, at the End of every Line of his Land, if he shall think proper, first giving Notice to all Persons concerned, of the Time and Place proposed for running and setting up such Boundaries, by affixing publick Notes, at the Parish Church where the Land lies, Three Sundays at the least before the Time appointed, for running and setting up such Boundaries, and putting up the like Notes in the most publick Place of the County, Twenty Days before the Day thereby appointed; and where all Persons interested are known, and any One of them lives out of the County, then Notice shall be given, by affixing a Note at the Church Door of the Parish Church in which such Party resides, Forty Days at the least before the Time thereby appointed for such running and setting up of Boundaries; of which Notice, and the Publication thereof, according to the Direction of this Act, proper Certificates shall be produced to the Surveyor and Freeholders, before the running and adjusting the Lines of any Land, and setting up of Boundaries as aforesaid. And if such Surveyor and Freeholders shall be satisfied, by the Certificate so produced, that