

and Consent of his Lordship's Governor, and the Upper <sup>Bacon</sup> and Lower Houses of Assembly of this Province, and the Authority of the same, That from and after the End of this present Session of Assembly, the Justices of every Court of Record in this Province, may assess Damages, and give final Judgment in all Actions of the Case, upon Assumpsit, whether the same shall be entered upon Default, Demurrer, Nihil dicit, non sum informatus, or upon Confession; and no such Judgment shall be staid or reversed for or by Reason of not speeding or executing a Writ of Enquiry of Damages; any Law, Usage, or other Thing heretofore had, made, or used to the contrary notwithstanding.

II. Provided always, and be it Enacted, by the Authority aforesaid, That if either Party, Plaintiff or Defendant, shall, the same Court that Judgment shall be rendered, pray or insist on a Writ of Enquiry of Damages, the same shall issue in such Manner as if this Act had not been made; and if any Plaintiff shall insist on a Writ of Enquiry of Damages, and refuse to take Judgment for what the Defendant shall confess, the Plaintiff shall be at the Charge of such Writ of Enquiry, if the Jury assess no more Damages than the Defendant so confess'd.

An Act for preventing the Destroying of Boundaries, or <sup>Chap. VIII</sup> Bounded Trees; and the Bounding of Trees, or setting up of Boundaries, without lawful Authority.

Whereas it appears to this present General Assembly, That many Abuses and Prejudices have happened to many of the Inhabitants within this Province, occasioned by private Persons taking upon themselves in a private Manner, the Bounding, or Re-bounding of Trees, whereon the Bounds either of their own Lands, or any other adjacent Lands, may have any Dependence; and also by the Bounding of Trees at Random in the Woods, the Multiplicity of which renders the true Boundaries of Lands very precarious and uncertain; and likewise by the cutting down or destroying of Bounded Trees, either of or upon their own Lands, or any others; For the Remedy of which Evils for the future;

II. Be it Enacted, by the Right Honourable the Lord Proprietor, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly of this Province, and the Authority of the same, That from and after the End of this present Session of Assembly, it shall not be lawful for any Person or Persons whatsoever, within this Province, under any Pretence whatsoever, to cut down, or otherwise destroy, any Boundary, or Bounded Trees, either of his own Lands, or of the Lands