

be the Bounds of such Lands, and the Trees shall be deserted, and one Line shall be drawn from the end of another: Yet if any second Taker up have begun at any of the said deserted Trees, and run lines parallel to the first Taker up's Lands, the first Taker up shall have no Action of Trespafs against him, tho' part of the Land falls within the Lines of the first Taker up, but the second Taker up shall Enjoy his Improvements on such Lands for such number of years, not exceeding 14, as a Jury shall think reasonable.

XXIII. And they shall determine in such case, in Writing under their Hands and Seals, what part of such Lands happening to be clear, shall be assigned to the first taker up, and what part shall be assigned to the second taker up, &c.

XXIV. The Justices of each respective County Court, may grant a Warrant of Re-survey, and a *Venire* if required, when the Re-survey is only to ascertain Bounds; the Petitioner paying only to the Clerk 16 *l.* of Tobacco for his Warrant, and 30 *l.* of Tobacco, or 2 *s.* 6 *d.* to the Commissioners, and the Surveyor shall have only such Fees as in a primitive Survey, &c.

XXV. If any Person hold a Tract of Land, which on any Line is said to run a certain Course, and certain number of Perches to another Man's Land, if 50 *per Cent.* added to the Line do not come up to the said Land, yet if the number of Perches give the quantity of Land which the taker up had due to him, he shall be contented, and shall not extend his Line further to the damage of any later Survey.

XXVI. If any Owner of Land perceiving he hath more breadth betwixt his Trees, which gives him more Land than was due to him at first, hath while he was Owner of the first Tract, by Common Warrant taken up the Surplusage, he shall by vertue of such Survey and his Lordships Grant, hold the same.

XXVII. No Warrants or Grant to alter any Survey, on pretences that the Surveyor was mistaken, or any the like Pretences, shall take effect to the damage of any later taker up that hath seated and improved, where the Area of such first Survey includes considerable Land of any quality, and hath but one markt Tree; but where such Area includes no Land at all, but only Water, there the mistake is manifest, and it shall be adjudged, in
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