

any alteration by reason of the words more or less. And if the said markt tree may be attained by adding of fifty per cent. to every hundred perches of the said line which leads to it, the owner of such land shall hold that *hould* that surplusage against any later taker up; that is to say, all between the said trees against the lord proprietor, paying arrears of rent at two pence per pound in tobacco, but if the fifty per cent will not attain the second tree, it is out of measure unreasonable and then the owners of such land shall be concluded by his precise number of perches as if he had never any second markt tree.—And if in either the former cases or any other case, where the aforesaid fifty per cent. will attain the second tree, so as by this act the owners may hold the surplusage, the second line is drawn from the second tree the just length—as for example, for one hundred acres a line from the first tree be mentioned north one hundred perches to the second markt tree, but is really one hundred and fifty perches and then from the second tree a line is drawn east one hundred and sixty perches, the just length then from the end of the said east line a line is drawn south one hundred perches, but no markt tree there expresst, it will leave a gore betwixt a line drawn west to the first tree and the end of the hundred perches south, in all such cases, by virtue of this act the third line shall be extended of equall length with the first, and the fourth line shall be parallel with the second as in the first example demonstrated, that the tract of land may be square and one and the same, being laid out backward or forward. But if in the certificate of survey it be expressed in the third line a certeine course and number of perches, and then or from the end thereof, or such like synonymous expressions with a straight line to the first bounded tree, such streight line shall be the bounds thereof, although the third line be not of equall length with the first; and if any second or later taker up of land have taken up the said gore or land that may include it, and not improved or built thereon, the owner of the first tract shall pay him his reasonable charge expended in taking up the same and reimburse him all the rent payd for the same; and the first owner shall intirely hold the full square, paying his lordship his succeeding rent for the surplusage. But if the taker up of the said land or gore including it, have built thereon, he shall not be lyable to an action of tresspass: But if in case the owner of the first tract do not agree with him about paying him for his improvement, then the taker up of the gore shall, for the improvements sake, hold it such number of years not exceeding fourteen years to come, as a jury of resurvey shall adjudge, and this all to be required and the number of years to commence when the owner of the first tract shall by a jury resurvey and ascertain his bound according