ster Act 136 Par. 12. J. 6.

In other Charters, Lands of a certain Denomination are mentioned and several particular Parts thereof known only by the Neighbourhood or by March-Stones, are couched under the Words with Pertinents and Pertinents. But the those Words cum partibus & pertinentiis were omitted all that comes under the Denomination of Part and Pertinent would pass with the Thing disponed according to the Rule receptum communiter inter omnes principaliter cum sua accessoria.

The Use of Commerce is chiefly for Lands where there are no regality's regalia the Right of Forrest, Fishes, Mines & Minerals with Wards &c. their Lands holden by ancient Rents, Lands containing Subterranean passages, Woods, where separates from and the Property of them remains in the Superior. Wild not in the Confines with a Barbarous Nation all Servitudes & Burdens upon Lands & Houses & common to all by Law & Custom. Proprietors & Possessors of Lands & Heritages ought to keep their Marches & Limits distinct & visible, & make it necessary by Act of Parliament & Sentence of Judges where Disputes arise about the Property of particular Portions of Land. Every Proprietor has the power & Liberty to Plant Hedges, Ditches & Walls upon his own Ground, but he ought to keep the Natural Situation of the Ground & the Confines according as they are marked & distinguished by Custom & Use of the place. And if he transgress therein or shall attempt to remove the Land Marks, or pull up the Plantations or Hedges, Dykes & Ditches in which they ought to be, and to make good the Damages & pay the Undertaking that has occasioned Les Loix Civiles &c. Tom. 1. Part. 1. Lib. 2. Tit. 8. Sect. 1. Art. 2. Sect. 2. Art. 1. If the Possessor of an Estate intermingles upon his Neighbour's ground beyond the Confines, he will be liable for the Damage occasioned by his Undertaking and to make Restitution of the Fruits or other Profits from the Time of the Usurpation. But he who transgresses his Bounds, and enjoys the Fruits of his Neighbour's ground mind only, thinking that it was his own, will be obliged to restore the Fruits only from the Time of a Legal Demand, C. 4. §. 1. & 2. ff. fin. reg. Les Loix Civiles &c. Tit. 8. Sect. 2. Art. 2. If the Land Marks have been removed by the Act of one of the Possessors he shall not only be bound to make Restitution of the Fruits, and of the Damages; but he may likewise be prosecuted for this Trespass, and condemned to such Punishment as the Fact deserves according to the Circumstances L. 2. & 1. Tit. ff. de termin. mot. C. 4. §. 4 ff. fin. reg. l. 4. C. eod. Les Loix Civiles &c. Tit. 8. Sect. 2. Art. 4.

Sect.

Sect. 8.

The Servitudes,

(called in England Easements)

The Lands &c. are to [illegible]
if it contains [illegible]
with Servitudes [illegible]
Causes be [illegible]
Land and [illegible]
d'domsa' [illegible]
(2) Boscus [illegible]
Stagnus mota [illegible]
Pratum [illegible]
Pascuum [illegible]
Via [illegible]
Semita [illegible]
intratæ & exitus [illegible]
This Servitude is [illegible]
nominat' [illegible]
a person the term [illegible]
other [illegible]
by reason [illegible]

I Cum dominus debens Castle Stone commanding a Frontier and Kingdom from Kings are Settlements and Servitudes from the Situation Extend Fortalices Highways and Port Holes should be of Incumbents Stone cannot alter Disposition be altered by the Heir Stair Inst. L. 2. Tit. 3. §. 53. and 8. &c.

2. Boscus / Hedges

3. Planis /

4 Moris /

5 Marchis / Marches.

6 Viis Semitis / i.e. Private Ways and Roads leading to the Lands. For the Kings high Ways are juris publici Craig Feud Lib. 2. Tit. 8. §. 3.

7 Pratis / i.e. Medows which for ten years have not been tilled Craig Ibi.

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