

in evidence on any arbitration or trial at law or in equity, if such deponent or deponents die before such arbitration or trial, or cannot be had to attend the same, of which satisfactory proof shall be made. CHAP. VIII.

IV. PROVIDED ALWAYS, That nothing in this act is meant or intended to extend to proving the boundaries of land, or in any manner to alter the law now in force for that purpose. proviso.

V. PROVIDED ALWAYS, That in case of minors who have no guardian or trustee, and in case of absentees who are residents of this state, and of all other absentees residents of other of the United States, or residing in foreign states in amity with the United States, where such absentees have no trustee, guardian, agent or attorney, the common and usual mode of perpetuating testimony shall be adopted, and no other, any thing herein contained to the contrary notwithstanding. proviso.

VI. PROVIDED ALSO, AND BE IT ENACTED, That in all cases where testimony may be perpetuated by this act, and where it shall be made appear, to the satisfaction of the judge or justice, by affidavit of the party, that his witness or witnesses are sick and not likely to live, or may be about to march out of this state on the public service as a soldier or militia-man, it shall and may be lawful to take the deposition or depositions of such witness or witnesses, on giving such notice less than twenty days, as the judge or justice may think reasonable, all circumstances considered, so that the party interested, his guardian, trustee, agent or attorney, may have convenient time to attend. proviso.

VII. AND BE IT ENACTED, That the judge or justice shall and he is hereby required to give the party a certificate of having made affidavit, and of the number of days appointed for notice, which shall be lodged with the deposition or depositions, and an attested copy of such deposition or depositions, and of such certificate, shall be taken as good evidence of the truth of the facts therein contained. Judge, &c. to give a certificate, &c.

VIII. AND, for regulating the chancery practice in the case of perpetuating testimony, BE IT ENACTED, That commission shall and may issue to perpetuate testimony on bill for that purpose, before any appearance of the party defendant, to such four persons, in the usual manner, as the chancellor may approve, and on return of said commission, if no good objection be made thereto in twelve months from the time of such return, the chancellor shall and may order the same to be recorded in perpetual memory, any law or usage to the contrary notwithstanding. Commission may issue, &c.

IX. This act to continue three years, and unto the end of the next session of assembly which shall happen after the said three years. Duration.

Expired with the session of November, 1782; revived by November, 1783, ch. 30, for twenty-one years, &c.

CHAP. IX.

An ACT for the speedy conveyance of public letters and packets, and for other purposes. Lib. TBH. No. 1. fol. 167. Passed 15th of August, 1779.

To continue one year, &c. Expired with October session, 1780.

CHAP. X.

An ACT to direct the recording of a deed to John Brice. Lib. TBH. No. 1. fol. 170. A Private Act.

CHAP. XI.

An ACT for the relief of John Taylor, Sheriff of Harford county, and Benjamin Cawood, collector of the assessment in Charles county. Lib. TBH. No. 1. fol. 170. A Private Act.

CHAP. XII.

An ACT to direct the recording of a deed from Richard Jones and Anne his wife, to Edward Willett, of Prince-George's county. Lib. TBH. No. 1. fol. 171. A Private Act.

CHAP. XIII.

An ACT to appoint commissioners to take the depositions of witnesses on the petition of sundry inhabitants of Cecil county. Lib. TBH. No. 1. fol. 172.

CHAP. XIV.

An ACT concerning nonjurors. Lib. TBH. No. 1. fol. 173.

BE IT ENACTED, by the General Assembly of Maryland, That the treble tax, which nonjurors are liable to pay in virtue of the act, entitled, (a) An act for the better security of the government, and of the act, entitled, (b) An additional supplement to the act for raising the supplies for the year seventeen hundred and seventy-nine, shall be and is hereby suspended until the tenth day of November next, any thing to the contrary hereof notwithstanding. Treble tax suspended.

(a) October, 1777, ch. 20.

(b) July, 1779, ch. 5.