

further order as shall be just and reasonable, according to the circumstances of the case.

SEC. 5 and 6. Have ceased to operate since the adoption of the constitution of this state.

A commis-
sion may
issue, &c.

SEC. 7. *And be it enacted, by the authority aforesaid,* That it shall and may be lawful for the justices of the provincial court, or any county court, upon application made to them in court by any party or parties in or to any action or civil suit depending, or that shall be depending before them, and upon satisfaction being given to such court, by affidavit or otherwise, that there are material and competent witnesses in such cause residing or living out of this province, to direct the clerk of such court to issue a commission for taking the depositions or affidavits of such witnesses, and that such commission shall issue, and the commissioners shall be appointed and qualified, and such interrogatories be proposed or exhibited, and such commission be executed and returned, and the depositions or affidavits taken in pursuance thereof shall be published, in the same manner and form as in the case of a commission issuing out of the court of chancery for the examination of witnesses residing and living out of this province, and the depositions or affidavits which shall be duly made and taken in virtue of any commission which shall issue in pursuance of this act, or copies thereof duly attested, shall be admitted in evidence at the trial of the cause.

For the continuances of causes after the issuing of such commissions, see November, 1787, ch. 9, and 1794, ch. 6.

1798, ch. 71, enacted into a permanent law.

CHAPTER 26.

AN ACT for emitting Bills of Credit, and applying part thereof.
A temporary law connected with the finances of the state.

MARCH, 1774.—CHAPTER 18.

*1735, ch. 16. A SUPPLEMENTARY ACT to the act, entitled, *An act to prevent the injuring Harbours within this province, and for repealing the act therein mentioned.

Preamble. WHEREAS, the purposes of the above recited act have hitherto been rendered ineffectual, by reason that offences against the said act are generally committed by persons who are only temporary residents within this province, and are not liable to be held to bail on any suit brought against them for breach of the said act, and in case of recovery are not liable to pay the costs of suit; for remedy whereof for the future,

Special bail
may be
awarded,
&c.

SEC. 2. *Be it enacted, by the right honourable, the Lord Proprietary, by and with the advice and consent of his Governor, and the Upper and Lower Houses of Assembly, and*