

answer of a defendant might, as at present, be at once brought before the Chancellor; but they were formerly most usually, as in England, referred to a master, or to a person specially authorized to act as such. (y) The depositions of witnesses might be taken before a master or examiner, (z) or the case might be referred to a

‘You shall swear, that well and truly you shall execute the office of master in chancery to which you are called; you shall also well and truly, after your cunning and learning, execute the office of examiner in the Court of Chancery whereunto you are admitted; and you shall duly, justly, and equally examine the causes, that shall be committed unto you, without any favour, or corruption of any person or persons to be had or done, otherwise than of right shall appertain concerning the same; and you shall be attendant to further the same causes, from time to time, as need shall require; and you shall not publish, or shew the same depositions to any person before publication in the court, without the warrant of the same court—so help you God.’

‘Fees settled and allowed by his excellency, Samuel Ogle, Esq. Chancellor, to Benjamin Young, Esq. master and examiner in this court, and to all succeeding masters—for every oath to an affidavit, or probate of an answer, one shilling—for every oath administered to any witness examined by him, one shilling—for every examination of a witness, and report made on any matter referred to him, and returned; for every side, computing seven words in a line, and twelve lines in a side, one shilling and four pence—for every day on which he shall be attended, and proceed in the settling any matter of account referred to be taken by him, ten shillings.’—*Chancery Proceedings, lib. J. R. No. 2. fol. 625, 633.*

(y) *MURDOCK v. HADDOCK—1713—Ordered*, that replication or exceptions be filed by next court.—1714—Exceptions to the answer referred, to be argued before Col. Young to make his report.—16th December, 1714—*Ordered*, that Mr. James Haddock’s answer to the interrogatories to him put concerning Thomas Coutts, Patrick Andrews, and others, be referred to Col. Samuel Young, master in chancery, for hearing.

October, 1716.—*HART, Chancellor.*—Upon reading the answer and exceptions taken thereto; and upon hearing this cause, *Ordered*, that the first and second articles relating to that part of the answer be amended; and the third exception agreed, and the answer to be amended in that particular. And *Ordered*, that the defendant pay to the plaintiffs six hundred pounds of tobacco, being the costs for the delay, awarded them.’—*Chancery Proceedings, lib. P. L. fol. 13, 70, 86, 318.*

‘Present, his excellency, the keeper of the great seal of Maryland.

14th July, 1716.—By the Court of Chancery.—Upon the motion of Samuel Young, Esq. one of the assistants in this court, that many references are made to him; and especially of exceptions taken to answers, and other proceedings in this court, which, in obedience to the court, he is obliged to expedite, and hear, and report; although there is no settled fee, or other reward allowed and ascertained to him for such services. It is *Ordered* and ruled by this court, that the said master-assistant, or other gentleman, acting as such on those occasions, and to whom such references are made, be paid and satisfied, either by the complainant or defendant, in whose favour the said referee’s report shall happen to be made, the sum of twenty shillings current money, for such report, before he or they be obliged to make and give in his or their report.’—*Chancery Proceedings, lib. P. L. fol. 302.*

(z) ‘May, 1735.—Ruled and ordered, that in all causes now depending, wherein commissions have issued, but are not returned, the examinations may be taken by