

best of his ability, which oath shall be entered by the clerk on his test book, and signed by the judge taking the same; but if the judge appointed to try any equity case does not reside in the county in which the Circuit Court is held where said case is pending, he may take such oath before the clerk of the county in the county where such special judge resides, which oath shall be signed by him and filed in the cause before he proceeds to act in or try the same.

10. Every person appointed a special judge under any of the foregoing provisions, shall be allowed ten dollars per day, for every day he shall be necessarily engaged in hearing, trying, continuing, or otherwise disposing of such cause or causes as he may be appointed to try, and ten cents per mile for every mile he shall travel by the usual route in going to and returning from the place where such cause or causes may be for trial, the said per diem and mileage to be paid out of the Treasury.

In force from March 20, 1865.

SPECIAL TERM OF THE COURT OF APPEALS.

Chapter 24 enacts the following:

11. A special term of the Court of Appeals shall be held on the fourth Tuesday of January, in the year eighteen hundred and sixty-five; all writs and other process from the said court, tested as of the June term eighteen hundred and sixty-four, and made returnable to the December term, under the late Constitution, shall be returned to the special term herein provided for; and all writs and other process tested as of the June term eighteen hundred and sixty-four, and made returnable to the next April term of said court, shall be returned to the said April term.

12. Until the commencement of the special term authorized by this act, all writs and other process issuing from the court shall be tested as of the June term eighteen hundred and sixty-four, and shall be made returnable to the said special term, but all writs and other process which may issue from said court after