

Fees. accounts to be stated, audited, and settled, and taxed in the bill of costs of the party for whom the decree may pass in the cause.

AUDITORS AT LAW.

Art 29, s 9
1785, c 80, s 12
Appointment of
auditors
4 H. & McH 65

19. In all actions brought in any court, founded on account, or in which it may be necessary to examine and determine on accounts between the parties, the court may order the accounts and dealings between the parties to be audited and stated, by an auditor or auditors, to be appointed by such court, and there shall be the same proceedings thereon as in cases of actions of account.

SPECIAL SURVEYORS.

Art 29, s 10.
1827, c 44, s 1
Appointment of
surveyor

20. In any case pending in any court where it is necessary to lay out and locate any lands where, upon the application of either party to such suit, the court shall be of opinion that the county surveyor is in any manner interested or prejudiced against either of the parties, or if either of the parties shall make oath that he believes the county surveyor is interested or prejudiced, the court may appoint some competent person to lay out, locate, or survey said lands.

Id s 11
1827, c 44, s 2.
Oath

21. The person so appointed, before he proceeds to act, shall take an oath before some justice of the peace that he will, faithfully, without favor, affection, or prejudice, perform the service for which he was appointed by the court; which oath shall be certified by the justice and shall accompany such return as the surveyor shall make to the court in the case.

Id s 12
1827, c 44, s 1.
Fees.

22. The person so appointed shall receive such fees as are allowed by law to the county surveyor for like services.

COMMISSIONERS TO TAKE TESTIMONY IN EQUITY.

Art 16, s 141
1826, c 222, s 1
Commissioners
in equity
40 Md 212.

23. All commissions which shall be issued to take testimony in causes pending in any court of equity in this State shall be issued and directed to two persons to be named and appointed by the said court, or the judge thereof.

COMMISSIONERS TO TAKE TESTIMONY AT LAW.

Art. 37, s. 16.
1828, c 165, s 1.
Commissioners
at law
35 Md 531.

24. Each of the Circuit Courts, or the judges thereof, shall appoint not more than three commissioners for the county in which such court is held, and each of the courts of civil jurisdiction in the city of Baltimore shall appoint two commissioners to take the deposition of witnesses, on such notice to the opposite party and in such manner as the court shall prescribe.

Id s 17
1828, c 165, s 5
Oath of com-
missioner

25. Every commissioner so appointed, before he proceeds to act as such, shall take an oath before some judge or justice that he will faithfully, and impartially, execute the duties of commissioner aforesaid, according to the best of his judgment, a certificate of which oath shall be recorded among the records of the court by which such commissioner is appointed.