

duty as surveyor or chain carrier, faithfully and impartially, according to the best of their skill; and shall also administer an oath to every witness, that the evidence he shall give to the commissioners in the matter depending in question, shall be the truth, the whole truth, and nothing but the truth.

P. G. L., (1860,) art. 15, sec. 13. 1793, ch. 70, sec. 2.

13. The commissioners shall take the depositions of the witnesses, touching their knowledge of the boundaries to be perpetuated, and shall make return thereof, with their other proceedings, to the court, to be recorded; and the same, when recorded, shall be as good evidence in law or equity as if taken under a commission to perpetuate testimony issued from a court of equity.

Keech v Dansey, 1 H. & McH. 20. *Helms v. Howard*, 2 H. & McH 57. *Ruff v. Webster*, 4 H. & McH 499. *Davis v Batty*, 1 H & J. 264. *Green v. McClellan*, 4 H & J 200. *Olver v. Palmer*, 11 G & J. 145.

Ibid. sec 14. 1786, ch. 33, sec 4.

14. The commissioners, or any two or more of them, may adjourn from time to time, and they, or a majority of them, or a major part of a majority met, concurring in opinion, shall cause the lands mentioned in the commission to be marked in the lines where convenient, and shall mark, or set up boundaries, at the termination of the lines, when course and distance only are given, according to their adjudication and adjustment of the location thereof, and shall return a plat and certificate of such marked lines and boundaries to the court under their hands, which return shall be received and recorded in the record of land commissions and returns of such court, unless the court shall otherwise order because of the misconduct of the commissioners.

Ibid sec. 15. 1786, ch. 33, sec. 5.

15. If no suit or action shall be brought within five years next after recording the return of the commissioners, to call in question their adjudication, the marking and bounding such land as aforesaid, and the record thereof, shall be conclusive evidence of the original location thereof, both as to the direction and termination of the lines; or if the adjudication of the commissioners shall be confirmed by the verdict of a jury in any such suit, the