

majority of them ; and witnesses summoned shall attend, and be subject to punishment by the said court for not attending, in the same manner as on summonses issued by and returnable to said court.

1888, art. 15, sec. 11. 1860, art. 15, sec. 11. 1793, ch. 70, sec. 3.

11. If any witness shall not attend when summoned, the commissioners, or any two of them, shall apply to the clerk of the said court for an attachment, which shall issue accordingly to compel his attendance.

Ibid. sec. 12. 1860, art. 15, sec. 12. 1786, ch. 33, sec. 4.

12. The commissioners may administer an oath to the surveyor, and also to the chain carriers, to execute their respective 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.

Ibid. sec. 13. 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. McClellen*, 4 H. & J. 200. *Oliver v. Palmer*, 11 G. & J. 145.

Ibid. sec. 14. 1860, art. 15, 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