

ing of said land, he shall make oath, or affirmation, (as the case may be,) before some justice of the peace, that he will settle and adjust the boundaries of the land owned by the proprietors of the Susquehannah Canal, according to the evidence and circumstances which shall be offered or appear to him, according to the best of his skill and judgment, and will make a true return thereof.

Sec. 3. *And be it enacted*, That the said commissioners, or a majority of them, may issue summonses for witnesses, and such witnesses, when summoned, shall attend under the same penalties as if they had been summoned by the county court, to be inflicted by the said commissioners, or a majority of them; and the said commissioners, or a majority of them, may cause the surveyor of the county, or such other skilful persons as they may think fit to appoint, to make such surveys as they may think necessary to determine the location of the boundaries of the land owned by the proprietors of the Susquehannah canal, first administering an oath or affirmation, (as the case may be,) to the surveyors, and also to the chain-carriers, to execute their respective duty of surveyor, or chain-carrier, (as the case may be,) faithfully and impartially, to the best of their skill, and also administering to each and every witness an oath, or affirmation, (as the case may be,) that the evidence which such witness shall give, shall be the truth, the whole truth, and nothing but the truth; and the said commissioners, or any two or more of them, may adjourn from time to time, as they may think necessary; and the said commissioners, or a majority of them, or the major part of such majority met, concurring in opinion, may and shall cause the land by them adjudged to the proprietors of the Susquehannah Canal, to be marked and bounded, either by calls, or by courses and distances, and shall mark and set up boundaries at the end of all lines where course and distance only are given, according to their adjudication and location thereof; and after the said commissioners have marked and bounded the said land they shall make up and transmit to the clerk of Cecil county court, a return of their proceedings, containing a description of the location by metes and bounds, or courses and distances, of the land adjudged to the proprietors of the Susquehannah canal, together with a certificate, under the hands and seals of the commissioners, or under the hands and seals of a majority of them, that such location was duly made according to law; and the said return and certificate shall be *prima facie* evidence of the correctness of the proceedings of the said commissioners; and that unless within six months after the said return shall have been received by the clerk of Cecil county, exceptions in writing are filed thereto, the said return shall be recorded among the land records of said county, and shall be conclusive against all per-

Witnesses may be  
summoned