

location of the land mentioned in such commission, most agreeably to the true original location thereof, according to the evidence and circumstances which shall be offered or appear to him, without favour, affection, or partiality, according to the best of his experience and judgment, and will make a true return thereof—*ibid.* § 3.

13. Summonses for witnesses may issue out of the county court, or by the said commissioners, or a majority of them, and witnesses summoned shall attend, and be subject to punishment by the county court for not attending, in the same manner as on summonses issued by, and returnable to, county courts; and the commissioners may cause the land mentioned in such commission, as well as any other lands they may think proper to be surveyed by the surveyor of the county, or such other skilful person as they may think fit to appoint, and may administer an oath to the surveyor, and also to the chain carriers, (*see Surveyors, art. 6.*) to execute their respective duties faithfully and impartially, according to the best of their skill; and shall also administer an oath or affirmation to every witness, that the evidence which such witness shall give to the commissioners in the matter depending in question, 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 they or the majority, or the major part of such majority met, concurring in opinion, may and shall cause the land mentioned in such 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 certificate of such marked lines and boundaries to the court under their hands, which return shall be received and recorded in the records of land commissions and returns of such county, unless the court shall otherwise order, because of ill behaviour of the commissioners.—*ibid.* § 4.

14. In case no suit or action shall be brought within 5 years next after the recording such return, to call in question the adjudication of the commissioners, 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 verdict of a jury in any suit as aforesaid, the adjudication of the commissioners in the point confirmed by the jury, and between the same parties and those claiming under them, shall conclude, to every intent and purpose; provided, that every infant, married woman, insane person, or person in prison, or beyond sea, and those claiming under either of them, shall have 5 years after the disability removed to commence such suit or action as aforesaid.—*ibid.* § 5.