

to have been ordered or directed, within six months, as limited in the law of Nov. 1773, c. 7, and in the manner and within the time therein mentioned.—*ibid.* § 4.

17. Commission may issue to perpetuate testimony on bill for that purpose, in chancery, before any appearance of the party defendant, to such four persons, in the usual manner, as the chancellor may approve; and on return of said commission, if no good objection be made there-to, in twelve months from the time of such return, the chancellor may order the same to be recorded in perpetual memory.—*July 1779, c. 8, § 8.*

18. The parties, and their attornies or agents, shall have a right to be present at the execution of all commissions hereafter to be issued from the court of chancery, for examining witnesses and taking evidence, and the interrogatories of the respective parties shall be read by the commissioners, so that they may be heard by the parties, their attornies or agents respectively, if they choose to attend, and each party shall, on application, have a right to a copy of the interrogatories of the adverse party, to be delivered by such party before any witness is examined on such interrogatories, and if either party shall, after witnesses are examined on the interrogatories of the adverse party, desire the commissioners to adjourn to a future day for the purpose of receiving additional interrogatories, proofs and witnesses, it shall be done by the commissioners, and the commissioners shall receive such additional interrogatories in writing, and take the proofs and evidence offered, and shall give each party a fair opportunity of adducing all his testimony; but if the party requiring an adjournment for the purpose aforesaid, shall neglect or refuse to exhibit his interrogatories, and produce his evidence, at the meeting, in consequence of such adjournment, and it shall appear to the commissioners that delay and procrastination is affected by such party, then no further time shall be given him for the purpose aforesaid—*1785, c. 72, § 15.*

19. Each commissioner to take evidence, acting in consequence of an appointment from the chancery court, shall be allowed 20s. current money per day for every day he shall actually serve in the execution of such commission, to be paid by the parties according to the time that such commissioner serves in taking the testimony of such parties respectively, and to be taxed in the bill of costs of the party for whom the decree of the chancellor shall pass in the cause.—*ibid.* § 16.

20. A witness attending commissioners in consequence of summon by them issued, or the request of either party, shall be allowed 5s. for every day's attendance, and itinerant charges, to be ascertained by the commissioners, and paid by the party summoning or requesting such witness to attend, and shall be taxed in the bill of costs as aforesaid.—*ibid.* § 17.