

C H A P.
XXXV.

be subject to a like fine, of which there shall be the like appropriation, on the like declaration of the jury.

In all disputes
chancellor may
decree, &c.

IV. AND BE IT ENACTED, That in all disputes which may hereafter arise before the chancellor, as judge of the land-office, he shall have full power and authority to decree thereon according to equity and good conscience, and agreeably to the principles established in the high court of chancery, as if the matter were brought before him by a bill in chancery.

Time not to be
considered, &c.

V. AND BE IT ENACTED, Whenever a caveat is entered in the land-office, and the composition money due upon the certificate so caveated hath not been paid, the time during which the caveat shall remain undetermined shall not be considered as part of the time limited for payment of the said composition; provided the proprietor of such certificate will make oath or affirmation, as the case may be, that he hath not procured such caveat to be entered for the sake of delay, nor in any manner whatever contrived or endeavoured to postpone the determination on the said caveat longer than was necessary to obtain a full hearing of the real merits in the cause.

Surveyor may
issue a sum-
mons, &c.

VI. AND BE IT ENACTED, That whenever an order shall issue from the high court of chancery for the surveyor of a county to survey, lay down and return a plot and certificate of lands lying in his county, for the illustration of any matter relative to a cause in the said court, it shall be lawful for the said surveyor, at the instance of either party concerned, to issue under his hand and seal a summons for any person whose testimony may be wanted on the surveys; and the said summons shall be according to the following form: "You are hereby required to summon —, that he appear on the — day of — before the subscriber, surveyor of — county, at — in said county, to give evidence on a survey to be then made of a tract of land called —, (or lots of ground, or tracts of land, as the case may be,) in pursuance of an order from the high court of chancery. Given under my hand and seal this — day of — 17—;" and the said summons shall be directed to the sheriff or coroner, as the case may require, of the county where the witness reside, and shall be returned to the surveyor who issued it; and in case of the non-attendance of any witness, agreeably to such summons, when it is returned summoned, and the same appearing to the chancellor, the said witness shall, on motion to the chancellor, be adjudged in contempt of the court, and upon motion there shall be the same process and proceedings as in other cases of contempt.

Sheriff, &c. to
summon wit-
nesses, &c.

VII. AND BE IT ENACTED, That on writs or warrants of resurvey from the general or any county court, the sheriff or coroner, as heretofore, shall summon witnesses, and upon proof of such summons and non-appearance of a witness made to the court from which the warrant or writ issued, he shall, on motion, be adjudged in contempt of the court, and attachment may issue as in other cases of contempt.

Allowance to
witnesses, &c.

VIII. AND BE IT ENACTED, That there shall be allowed to any witness attending agreeably to any summons aforesaid the same allowance as is made to a witness attending a county court, to be recovered by order and attachment from the court which issued the order, writ or warrant, for the survey, or by a warrant as in case of small debts, if under five pounds.

C H A P. XXXVI.

Passed 25th of
Dec. 1789.

An ACT for the building a court-house in Talbot county, for the accommodation of the general court for the eastern shore and the county of Talbot. Lib. JG. No. 1. fol. 172.

Preamble.
* Chapter 16.

WHEREAS by an act passed at a session of the general assembly begun and held at the city of Annapolis on Monday the third day of November, seventeen hundred and eighty-eight, it was enacted, that the general court for the eastern shore of this state should for ever thereafter be held at Easton, in Talbot county; and it is represented to this general assembly, that the court-house belonging to the said county is extremely inconvenient, and incompetent to accommodate the general court, from whence it appears necessary that a court-house should be there erected for the accommodation of the said general court: And whereas it is represented that the inhabitants of Talbot county are willing to defray part of the expence of the building; therefore,

Commissioners,
appointed, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That Robert Goldborough, William Perry, William Hayward, Howes Goldborough, James Filghman, junior, Pollard Edmondson and David Kerr, Esquires, shall be and are hereby appointed commissioners for the purpose of carrying this act into execution.

III. AND