

## EVIDENCE.

— Manner in which the oath or affirmation of a creditor in another state shall be certified. *Ibid.* § 2.

— The plaintiff may exhibit interrogatories to the garnishee, touching the property of the defendant, which he shall be obliged to answer. *Ibid.* § 5.

— His neglect or refusal to be evidence of his having property, or being indebted, to the amount of the plaintiff's claim. *Ibid.*

— Depositions directed to be taken by the judge of the land-office on the eastern shore to be admitted as evidence on the hearing of a caveat, on notice to the other party. 1795, ch. 61, § 12.

— Provision made for compelling the parties in the county courts to produce books or writings containing evidence pertinent to the issue, or copies from them, or to answer any bill for discovery. 1796, ch. 43, § 7.

— No slave, manumitted agreeably to the laws of this state since the passage of the act of April, 1783, ch. 23, or who shall hereafter be manumitted or made free in virtue of this act, shall be entitled to give evidence against any white person, or shall be received as competent evidence to manumit any slave petitioning for freedom. 1796, ch. 67, § 3.

— A copy of the record of a deed or writing of manumission, duly attested under the seal of the office, shall be good evidence to prove such freedom. *Ibid.* § 30.

— The receipts of the county clerks for blank marriage licences shall be sufficient evidence on suits by the state of the money due for those not returned as therein directed. 1797, ch. 38, § 5.

— The inhabitants of a county to be admitted as witnesses on a prosecution for the recovery of fines under the act to prevent excessive gaming, notwithstanding one half of such fines being appropriated to such county. *Ibid.* ch. 110, § 5.

— A certificate of the entry of any birth, marriage or burial, in the parish register, under the hand of the register of the said parish, with the common seal of the vestry annexed, shall be received in evidence in all courts of justice in the state. 1798, ch. 24, § 22.

— The chancellor empowered, on the trial of any actions at law depending in the general court, or on any bill in the chancery court, either for discovery or relief, to decree that the parties shall produce either the original books, writings or papers, or certified copies of all such books, &c. in their possession or power, as contain evidence pertinent to the issue, or relative to the matters in dispute, to be used as evidence, on his being satisfied as therein described of the necessity of such books, &c. *Ibid.* ch. 84.

— Evidence required in allegations of infancy, lunacy, conviction of crimes, or being aliens, against persons named as executors or administrators. 1798, No. 101, ch. 4, § 1.

— As to a person's dying intestate, of the time, manner, &c. for obtaining letters of administration. *Ibid.* ch. 5, § 3.

— An account settled by the orphans court shall be evidence to shew the amount of assets and claims. *Ibid.* ch. 8, § 9.

— The vouchers or proofs of decrees, judgments and other claims against the estates of deceased persons, prescribed. *Ibid.* ch. 9.

— Directions respecting depositions taken out of the state. *Ibid.* § 12.

— The reports of the persons procured to view the estates of orphans shall be evidence against the guardians in case of suit for misconduct. *Ibid.* ch. 12, § 6.

— A copy of any of the books, papers, entries or proceedings, of the governor and council, attested by the clerk of the council, also a copy of any of the books, &c. of the treasury, attested by the treasurer, also a copy of the books, &c. of the office of the auditor, attested by him, also a copy of the books,

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&c. in possession of the register of the land-office, not being matter of record, and attested by him, shall be received in evidence, if sworn by the persons attesting to be true copies, as if the originals were produced. *Ibid.* ch. 108.

— Copies from the records of bonds taken under the act to appoint an agent to be evidence. 1799, ch. 80, § 18.

## EXAMINER-GENERAL.

— His fees established. November, 1779, ch. 25, § 5.

— Directions for the appointment of an examiner-general, to reside at Annapolis. November, 1781, ch. 20, § 7.

— His duty prescribed. *Ibid.*

— Directions for the appointment of an examiner for the eastern shore. 1795, ch. 61, § 3.

— His duty prescribed. *Ibid.* § 2, 3.

— The rules established by the governor and council to be transmitted to him. *Ibid.* § 8.

— Entitled to the same fees as the examiner on the western shore. *Ibid.* § 9.

— Directed to account on oath with the treasurer of his shore for all fees received or due, and to be paid by him such sum as, with the said fees, should make £. 100 0 0 for each half year. 1797, ch. 53.

— The fees of the examiners on both shores increased fifty per cent. and they directed to lay before the then next general assembly an account on oath of the amount. 1798, ch. 114.

— The act to continue to 30th October, 1805, &c. 1799, ch. 55.

— Directions respecting the correction of certificates. 1795, ch. 88, § 7, 8, 1796, ch. 6.

## EXCEPTIONS.

— Where the judges or justices of courts of law shall be divided in opinion, any person affected thereby shall be entitled to his bill of exceptions, as if the opinion of the court had been against him, and as allowed by law in other cases. October, 1778, ch. 21, § 14.

— In all cases of appeals or writs of error, upon bills of exceptions, the appellate courts, where the judgments excepted to shall be reversed, shall give judgment on every exception. 1790, ch. 42.

— In petitions for freedom, either party may appeal as to matters of law only, and take bills of exception to the general court. 1796, ch. 67, § 23.

## EXECUTION.

— Shall not be staid or delayed on an appeal or writ of error, unless bond is given as therein prescribed. 1713, ch. 4, § 2.

— After condemnation on attachments, execution to be had by *capias ad satisfaciendum, fieri facias*, or otherwise, as in other judgments. 1715, ch. 40, § 3, 7.

— What to be levied from the garnishees by such execution. *Ibid.* § 4.

— No sheriff shall, by any attachment, or any other execution had upon such attachment, or any other execution whatsoever, levy, seize or take, the goods and chattels of any of the inhabitants, so far as to deprive them of all livelihood for the future, but corn for necessary maintenance, bedding, gun, axe, pot and labourers necessary tools, and such like household implements and ammunition for subsistence, shall be protected from all attachments and executions whatsoever. *Ibid.* § 5.

— Directions respecting executions against persons flying or absent from the counties where judgments may be obtained. *Ibid.* ch. 41, § 8.

— Constables fees to be levied by way of execution on the party complaining, and to be allowed the party recovering in his costs. *Ibid.* ch. 15, § 7.

Attornies