

TAXES.

The taxes therein mentioned directed to be paid for seals in the chancery court. November, 1779, ch. 25, § 22, 23.

The taxes therein mentioned directed to be paid for services in the court of chancery and the land-office. November, 1792, ch. 76.

The taxes therein mentioned to be paid on certain proceedings in the county courts. 1796, ch. 43, § 28, 29, 1797, ch. 69.

TENANTS.

What interest shall be forfeited on conviction of tenant in tail. April, 1782, ch. 19.

Manner in which tenants in tail may convey the estates. November, 1782, ch. 23, 1786, ch. 45, § 6.

See ESTATES TAIL.

On notice given, and refusal by tenant for years or at will to remove, the lessor, or his heirs, &c. may apply to two justices of the peace, who may direct a jury to be summoned, &c. and may award restitution, and issue their warrant to the sheriff, and give judgment, and issue execution for costs. 1793, ch. 43.

In the cases therein mentioned, where security is given by the tenant to prosecute his claim at the next county court, the justices shall forbear to award restitution. *Ibid.*

TENDER.

Sureties or endorsers paying or tendering the sum due by the principal, entitled to an assignment from the creditor. 1763, ch. 23, § 7.

See ASSIGNMENT.

Directions respecting the tendering to the treasurer's money due on certificates of survey requiring correction, &c. 1795, ch. 88, § 8.

See LAND and LAND-OFFICE.

Directions respecting a tender by an executor or administrator to the creditor of the deceased in the cases therein mentioned. 1798, No. 101, ch. 8, § 10.

TEST.

No other test or qualification ought to be required on admission to any office of trust or profit than such oath of support and fidelity to this state, and such oath of office, as shall be directed by this convention, or the legislature of this state, and a declaration of a belief in the Christian religion. Decl. 35.

TESTE OF WRITS.

All writs from the county courts shall be tested in the name of the chief justice, and in case of his death, resignation or disqualification, (before a new appointment,) in the name of the associate justice first named in the commission. 1796, ch. 43, § 9.

TESTIMONY.

Depositions may be taken before a judge of the general court or a county justice, on giving twenty days notice to the opposite party, or if absent, to his agent or attorney, or if he has left none, setting up notice in writing at the court-house of the county twenty days before they are taken. July, 1779, ch. 8, § 2.

Such depositions, with proof of the notice, to be lodged with the clerk of the county where taken, who shall record the same. *Ibid.*

Such depositions, or a transcript thereof under seal, whether taken before or after suit, may be read in evidence on any arbitration or trial; if such deponents die or can not be had to attend, of which proof must be made. *Ibid.* § 3.

When it appears by affidavit of the party that his witness is not likely to live, or is about to march out of the state as a soldier, &c. such depositions may be taken on such notice, less

TESTIMONY.

than twenty days; as the judge, &c. may think reasonable, giving convenient time for the party to attend. *Ibid.* § 6.

The said judge, &c. shall give the party a certificate of having made affidavit, and of the number of days appointed for notice, to be lodged with the depositions, an attested copy of which shall be evidence. *Ibid.* § 7.

This act not to extend to proving the boundaries of land, or to alter the law in force for that purpose. *Ibid.* § 4.

The common mode shall be adopted in the case of minors without guardians or trustees; absentees who are residents of the state, or of others of the United States, or of foreign states in amity, where they have no trustee, &c. *Ibid.* § 5.

Commission may issue from chancery, on bill for that purpose, before appearance by the defendant. *Ibid.* § 8.

On return thereof, if no good objection is made within twelve months, the chancellor may order it to be recorded in perpetual memory. *Ibid.*

For other matters, see DEPOSITIONS. EVIDENCE. WITNESSES.

THIEVING.

See CRIMES and PUNISHMENTS.

THIRDS.

If there be a widow, and a child or children, or a descendant or descendants from a child, of a person dying intestate, the widow shall have one third of the surplus of the personal estate. 1798, No. 101, ch. 11, § 2.

Widows, by renouncing a bequest of personal property, entitled to one third of the personal estate, after payment of debts. *Ibid.* ch. 13, § 2.

If nothing passes by a devise, a widow shall not be barred, whether she renounce or not. *Ibid.* § 5.

See DOWER.

TOBACCO.

No more than eight per cent. interest to be taken for tobacco lent, &c. 1704, ch. 69, § 1.

Fees allowed to attorneys in tobacco. 1715, ch. 48.

To officers as herein mentioned. November, 1779, ch. 25.

All fees and allowances to officers or others given in tobacco shall be paid in tobacco at 12/6 per hundred, or in specie, valuing dollars at 7/6, at the election of the person charged. October, 1780, ch. 23.

Directions respecting poundage fees in money or tobacco. November, 1779, ch. 25, § 5, 1790, ch. 59.

See OFFICERS FEES. SHERIFFS.

The sum of money or tobacco prescribed, to be within the jurisdiction of the chancery court. 1715, ch. 41, § 7.

Directions respecting bail bonds to be taken in tobacco. *Ibid.* ch. 46, § 3.

Amount of money or tobacco within the equity jurisdiction of the county courts. 1763, ch. 23, 1791, ch. 88, November, 1792, ch. 63.

Provision made for the sale of lands held by infants, if charged or chargeable with the payment of money or tobacco. November, 1773, ch. 7, October, 1778, ch. 22.

Proceedendo to be awarded on a writ of *habeas corpus* where the debt, &c. does not exceed the sum of money or tobacco therein mentioned. October, 1778, ch. 21, § 11.

The sum of money or tobacco prescribed, to be within the jurisdiction of the county courts. 1791, ch. 63, § 9, 10.

The jury empowered to find by verdict the sum of money or tobacco due in suits as therein mentioned. 1785, ch. 80, § 13.