

M A R Y L A N D, J U L Y, 1779.

IV. **Provided** always, That nothing in this act is meant or intended to extend to proving the boundaries of land, or in any manner to alter the law now in force for that purpose. C H A P. VIII, IX. Proviso.

V. **Provided** always, That in case of minors who have no guardian or trustee; and in case of absentees who are residents of this state, and of all other absentees residents of other of the United States, or residing in foreign states in amity with the United States, where such absentees have no trustee, guardian, agent, or attorney, the common and usual mode of perpetuating testimony shall be adopted, and no other, any thing herein contained to the contrary notwithstanding. Proviso.

VI. **Provided** also, and be it enacted, That in all cases where testimony may be perpetuated by this act, and where it shall be made appear, to the satisfaction of the judge or justice, by affidavit of the party, that his witness or witnesses are sick and not likely to live, or may be about to march out of this state on the public service as a soldier or militia-man, it shall and may be lawful to take the deposition or depositions of such witness or witnesses, on giving such notice less than twenty days, as the judge or justice may think reasonable, all circumstances considered, so that the party interested, his guardian, trustee, agent, or attorney, may have convenient time to attend. Proviso, in case of sickness, &c.

VII. **And** be it enacted, That the judge or justice shall and he is hereby required to give the party a certificate of having made affidavit, and of the number of days appointed for notice, which shall be lodged with the deposition or depositions, and an attested copy of such deposition or depositions and of such certificate shall be taken as good evidence of the truth of the facts therein contained. Judge, &c. to give a certificate, &c.

VIII. **And**, For regulating the chancery practice in the case of perpetuating testimony :

IX. **Be it enacted**, That commission shall and may issue to perpetuate testimony on bill for that purpose, 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 thereto in twelve months from the time of such return, the chancellor shall and may order the same to be recorded in perpetual memory, any law or usage to the contrary notwithstanding. Commission may issue to such persons as the chancellor may approve, &c.

X. This act to continue three years, and unto the end of the next session of assembly which shall happen after the said three years. Continuance.

C H A P. IX.

An ACT for the speedy conveyance of public letters and packets, and for other purposes.

WHEREAS the laws heretofore made for the conveyance of public letters and packets have been found ineffectual: Preamble.

II. **Be it enacted**, by the General Assembly of Maryland, That the Sheriff of each respective county is hereby enjoined and commanded to take Sheriffs to take care of public letters, &c.

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