

And it was determined in the affirmative.

On motion of Mr. Mayer, the question was put "will the Senate strike out the 5th section?"

And it was determined in the affirmative.

On motion of Mr. Mayer, the following amendments were read and assented to.

In the 2nd line of the 6th section, after the word "conveyances" insert the words except "deeds or conveyances by way of mortgages."

At the end of the bill, add the following sections.

"And be it enacted, That from and after the first day of April next, it shall not be lawful for any of the clerks of the county courts to deliver out of their offices, or to be taken therefrom, to or by any persons whomsoever, any deeds or writings whatsoever, whether relating to lands, tenements or hereditaments, or to personal estate, which by law are or shall be allowed or required to be recorded, and shall have been recorded or required to be recorded, but that all such original deeds or writings shall be retained and by said clerks preserved in said offices in some safe fire proof place of deposit, provided, that where the production of any such deed or writing in evidence shall be deemed necessary by any party or person at the trial of any cause before any court of law or equity, or before any justice of the peace of the state, or at the execution in this state of any commission for evidence, or the taking in this state of any depositions authorised by law to be taken, such original deeds or writings may be produced and brought into evidence under *subpoena duces tecum* on application specially ordered by such court or justices, or commissioners for evidence aforesaid, or the person taking such deposition, such *subpoena duces tecum* being directed to such clerks, and said deeds or writings being produced as aforesaid by them or under care and custody of deputies by them in that behalf appointed for the occasion; so however that nothing herein contained shall authorise such original deeds or writings to remain in such court or to be annexed to or sent as exhibits or otherwise, with such evidence taken as aforesaid under commission, or with such depositions taken as aforesaid, and so that the said deeds or writings shall at no time be out of the care and custody of the said clerks or deputies aforesaid; and for their expenses in constructing and keeping up such fire proof place of deposit, and their services in arranging and preserving such original deeds or writings, said clerks shall be entitled to have