

C H A P. IX.

A Supplementary ACT to an act, entitled, An act to establish orphans courts in the several counties of this state.

Preamble.

WHEREAS, by the said act, not less than three of the justices of the said courts can call and adjourn the same, on the several days of meeting in the said act specified; and as the extremity of weather, and other casualties, have prevented, and may frequently prevent, that number of justices from attending on the said days of meeting, by means whereof the business of said courts hath been and may be much impeded: For remedy whereof,

One justice may adjourn the court.

II. **Be it enacted**, by the general assembly of Maryland, That it shall and may be lawful for any one or two of the justices of the said orphans court who may or shall hereafter attend on any of the respective days established by the said act for holding the said orphans court, or on any day to which such court shall have been regularly adjourned, to call and adjourn the same from time to time, until three or more of the said justices shall attend, who may proceed to the business of the said court, according to the direction of the said act.

Orphans courts to have the same power as the commissary-general had.

III. **And**, whereas the said court hath not any power or authority, by the said act, to compel any person or persons concerned in testamentary affairs, or any witnesses, whose residence is in any other county of this state, to appear before them, and for the want of such power and authority the representatives of deceased persons have been and may be much injured; **Be it therefore enacted**, That it shall and may be lawful for the said courts respectively to call, or cause to be brought before them by summons, attachment, or other process (as the case may require, directed to the sheriff of the county where the party may reside) any person or persons who may reside in any other county within this state, and who may have administered or taken letters testamentary, or shall hereafter administer or take such letters within their county, and also all witnesses necessary to establish the truth of controverted facts, and in every respect the said courts shall have all the power, jurisdiction and authority, within this state, to issue process against persons administering or taking letters testamentary as aforesaid, and witnesses, that the commissary-general hath heretofore had, used or practised.

Register of wills to take probates, &c.

IV. **And be it enacted**, That the register of wills, when required, shall, in the recess of the said court, take all probates of wills, grant letters of administration, and letters testamentary, also warrants to appraisers, in cases where there is no dispute, and in every respect have the same power, jurisdiction and authority, that the deputy commissary hath heretofore had, used or practised, any thing in the said act to the contrary notwithstanding.

Judges to meet on the 4th Tuesday of Dec. inst.

V. **And**, whereas in several of the counties of this state, the judges of the orphans courts have refused or neglected to act, whereby much inconvenience hath arisen and may arise, unless remedied by an immediate provision, **Be it therefore enacted**, That it shall and may be lawful for the judges of the orphans courts aforesaid, appointed or to be appointed in the several counties where they have neglected or refused as aforesaid, to meet at the respective places of holding their said courts, on the fourth Tuesday of December instant, and proceed to do business as fully as if they had met at the time appointed in the act for establishing orphans courts, any thing to the contrary notwithstanding.

C H A P. X.

An ACT for the regulation of officers fees.

To continue until the 1st of November, &c. Expired. An act under the same title passed at October session, 1778.

C H A P. XI.

An ACT to amend the law to punish forestalling and engrossing, and for other purposes.

Expired with the principal act.