

C H A P. -
LVII.Persons re-
ceiving tobac-
co to make
oath, &c.

V. **And**, to prevent and detect deception and fraud in exchanging any of the said tobacco, when received from the said warehouse to be carried to any port for exportation, **Be it enacted**, That any person or persons who shall receive any tobacco at said warehouse to be carried by land or water to any port or landing for exportation, shall make oath or affirmation describing the number and marks of the hoghead or hogheads, that the identical tobacco, so to be carried, shall be delivered at the port or landing intended, accidents from weather or water, if waterborne, excepted, in the same good order in which he received the same from the inspector or inspectors of said warehouse, and that the same hath not been altered, changed, diminished, or wilfully damaged, since the same was received from the warehouse aforesaid; and such tobacco may, at his own expence, or the expence of the vender if the same prove unmerchantable, be reviewed by the purchaser, or his order, in the manner directed by the aforesaid act for the inspection of tobacco at Frederick-town, in Frederick county, at the port or place of delivery on navigable water, and not elsewhere.

Inspectors to
be appointed
by commis-
sioners, &c.

VI. **And be it enacted**, That the inspector or inspectors to be appointed for said warehouse at Berlin, shall be appointed by the commissioners of the tax for Frederick county, or any three or more of the justices in case no commissioners be appointed for the county aforesaid, in the same manner as is directed in the supplement to the act, entitled, An act to prevent the exportation of unmerchantable tobacco, passed November session, seventeen hundred and eighty-five, and shall be subject to the same rules and regulations, and shall receive the same reward and fees for his or their services, as in the said act is expressed.

C H A P. LVIII.

Passed De-
cember 21.Part of an act
repealed.

An additional supplementary act to the act, entitled, An act to establish orphans courts in the several counties of this state.

BE it enacted, by the General Assembly of Maryland, That so much of the act of assembly, entitled, An act to establish orphans courts in the several counties of this state, and of the supplementary act thereto, as require seven justices of the peace in some of the counties of this state, and five justices of the peace in the remaining counties, to be specially named and commissioned by the governor, with the advice and consent of the council, as and for the justices of the several orphans courts in this state, and as require and empower three or more of the said justices to hold such respective courts, and to hear and determine the several matters and causes committed to their jurisdiction, be and the same is hereby repealed, any thing in the said recited acts to the contrary thereof notwithstanding.

Governor to
appoint three
justices, &c.

II. **And be it enacted**, That after the passage of this act, it shall be lawful for the governor for the time being, with the advice and consent of the council, and they are hereby required, to appoint and commission three judicious and discreet persons, of wisdom and experience, in each respective county, as and for the justices of the orphans courts in the several counties of this state, any two or all of whom shall hold an orphans court in their respective county, at the same times and places, and in the same manner, as the several orphans courts of this state are now respectively holden; and the said justices, or any two of them, shall have, exercise and enjoy, the same power, authority and jurisdiction, to all intents and purposes, and in all respects, as the same are had, exercised and enjoyed, by the several orphans courts of this state, under and by virtue of the said recited acts, or of any law of this state which respects such power, authority and jurisdiction; and each of the said justices shall be entitled to receive the sum of fifteen shillings current money for every day he shall attend in the execution of his office, and such allowance shall be levied and collected in the same manner as other charges of the county.

How vacan-
cies are to be
filled.

III. **And be it enacted**, That if any person to be appointed and commissioned in virtue of this act, shall die, resign, remove out of the county, refuse to act, or be disqualified from acting, it shall be lawful for the governor, with the advice and