

delivered out of such office to any person or persons whomsoever; and every issue of *devisavit vel non* sent from a court of equity shall be tried in the county of the office aforesaid, at which trial said will may be adduced in evidence under the care of said register, or of any person in that behalf by him deputed, under a subpoena *duces tecum*, issued on the special order of the court holding such trial; and, in like manner, such will may be produced in evidence on the trial in any court of this State of any issue involving the said will, and requiring its production, in the opinion of the said court; but the said will shall not at any time be taken, or kept out of the care and custody of the said register, or of the person deputed as aforesaid.

proven, to be retained by register.

How produced on issue of *devisavit vel non*.

33. Every register of wills in this State shall receive, for safe keeping, the will of any living person who resides in the city or county for which such register is appointed, every such will being first sealed up and indorsed with the name of the testator, its date, and the date of its delivery to the register, and the name of the executor or other person to whom it may be delivered at the death of the testator; and such register shall receive for each will so deposited fifty cents, and shall immediately index it in an index to be kept for that purpose, and there keep it in his office in a depository to be kept for that purpose, until the death of the testator, unless delivered to such testator or to his order in his lifetime, upon a receipt therefor being given on said index.

1864, c 157. Register to receive ambulatory wills for safe keeping

His fees.

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ARTICLE L.

SETTLEMENT OF DECEDENTS' ESTATES

CONSTITUTION—ARTICLE IV—PART V.

ORPHANS' COURTS.

Three judges, term, jurisdiction, per diem, vacancy.

REGISTERS OF WILLS.

Election, term, vacancy

ORPHANS' COURT.

The qualified voters of the city of Baltimore, and of the several counties, shall on the Tuesday next after the first Monday in November next, and on the same day in every fourth year thereafter, elect three men to be judges of the Orphans' Courts of said city and counties, respectively, who shall be citizens of the State, and residents for the twelve months preceding in the city, or county, for which they may be elected. They shall have all the powers now vested in the Orphans' Courts of the State, subject to such changes as the legislature may prescribe. Each of said judges shall be paid a per diem for the time they are actually in session, to be regulated by law, and to be paid by the said city, or counties respectively. In case of a vacancy in the office of

Three judges.

Term, four years
1852, c 20, 48, 62, 74, 139, 247, 290, 341, 1853, c 81, 147, 271, 343, 335

Per diem.

Vacancy.