

deceased persons, and to the regularity of the proceedings of the court and register; therefore,

CHAP. 92.

Sec. 1. *Be it enacted by the General Assembly of Maryland.* That the orphans court of Saint-Mary's county, if they shall be satisfied from the minutes and entries made by the late register of wills for the said county, on any account, voucher, exhibit, inventory, account of sale, will, or other paper or instrument of writing, that such paper or papers had been duly sworn to by the proper person or persons required by law, before the said late register, and that the necessary probate had not been spread at large upon, or annexed to, any of the said paper or instruments of writing, to order and direct the register of wills for the said county, and he is hereby authorised and required, to prepare, in the proper and usual form to all papers and instruments of writing, the necessary probates thereto, in the same manner as it was the duty of the said late register to do; and he shall subscribe thereto the name of the said late register; and he shall, at the foot of, or annexed to, all and every such probate, certify that such probate had been prepared by him under the directions of the orphans court of the said county, in pursuance of an act of assembly, entitled, An act to authorise the orphans court of Saint-Mary's county to have perfected and recorded certain papers and instruments of writing left incomplete and unrecorded by the late register of wills for the said county, passed at December session one thousand eight hundred and *twenty-nine*, and shall sign his name thereto.

Orphans court may direct the necessary probates to be prepared

Sec. 2. *And be it enacted,* That the register of wills for the said county, shall, under the directions of the orphans court of the said county, record all and every paper or instrument of writing so to be perfected, as herein before mentioned, and complete and make up the proceedings of the said court left incomplete by the said late register; and all and every paper and instrument of writing, when so recorded, shall be of the same force, validity and effect, as if the same had been regularly and duly recorded by the said late register, and authenticated copies taken from the records of any such paper or instrument of writing, shall be legal evidence in any court of law or equity in this state.

Papers authorised to be recorded

Sec. 3. *And be it enacted,* That the register of wills for the said county, for all duties to be performed by him under and in virtue of this act, shall be entitled to the same fees as are now allowed for similar services, to be paid by the party properly chargeable therewith; *Provided, however,* if it shall appear that the fees in the cases before mentioned, or any of them, have been paid to the late register, or to his executors or administrators, then and in that case, the present register shall be entitled to recover said fees from the

Allowance to register

Proviso