

shall be good and pleadable in any court of law or equity in this State without stamp. CHAP. 316.

SEC. 10. *And be it enacted*, That whenever, and in all cases, in which copies, or papers purporting to be copies, of any of the records, proceedings, or papers belonging to, or which were deposited in, or on file in the office of the clerk of the Circuit court, or the register of wills, or the commissioners of the county, shall be laid before the said commissioner, but which copies, or papers purporting to be such, are not authenticated by the seal of the office, it shall be the duty of said commissioner to take proof touching the genuineness of such copies, or papers purporting to be such, and if ascertained by him to be genuine, such copies shall be recorded in the proper office, and be treated in all respects, and have the same effect and operation as is hereinafter provided, with respect to copies authenticated under seal; *Provided*, that if the genuineness of such copies is or shall be disputed, the evidence respecting the same shall be returned by the commissioner to the Circuit court, the Orphans' court, or the commissioners of the county, as the case may be, to be therein decided.

Proof to be taken touching genuineness of papers purporting to be copies of record, &c.

SEC. 11. *And be it enacted*, That the will or wills, or other instrument of writing, so as aforesaid recorded, and those which are hereinafter directed to be recorded, and the record thereof, shall have the same effect and operation in law, to all intents and purposes, as if the records in which said will or wills, or other instrument of writing, were heretofore recorded, or original papers had never been destroyed.

Will recorded to have same effect, as if original papers had never been destroyed.

SEC. 12. *And be it enacted*, That whenever any last will and testament has been duly admitted to probate in the Orphans' court of said county of Dorchester, and the original thereof has been destroyed, and no certified copy of the same can be found, the said commissioner may hear testimony in regard to the same, as in all other matters of which he has cognizance, by the provisions of this act, and make report of such testimony to the Orphans' court, and the said court, upon such notice to the parties interested, as to it may seem reasonable, shall determine whether the testimony is sufficient to establish such last will and testament, and whether the same shall be established; and if established, a record thereof shall be made by the register of wills in the usual manner.

Testimony in regard to last will and testament.

SEC. 13. *And be it enacted*, That the said commissioner shall have full power and authority to receive and take testimony in relation to all papers or instru-

Testimony in relation to papers appertaining to offi-