

And whereas it is also represented, that the said last will and testament, and codicil, after being thus duly made and executed, were put into the hands of a certain John Merryman, for the purpose of being by him delivered to the register of wills of Baltimore county, and that part of the said last will and testament, being on a loose sheet of paper, was lost, and never recorded by the said register; and it being stated that a true copy of the said last will and testament, and codicil, was taken before the delivery of the same to the register aforesaid, and it is prayed that the said copy may be recorded and established as the only true last will and testament, and codicil, of the said Nicholas Merryman; and satisfactory evidence of the above stated facts being exhibited to this general assembly, therefore,

C H A P.
XXIV.

II. BE IT ENACTED, by the General Assembly of Maryland, That the orphans court of Baltimore county be and they are hereby authorised and empowered to cause all the parties interested in the establishment of the said last will and testament, and codicil, to be called before them in the usual way of their proceedings, and if upon examination of all the circumstances they shall be of opinion that any part of the said last will and testament, and codicil, or of either of them, has been by any means lost, and shall also be of opinion, from the evidence which may be adduced on the examination, that a true copy of the said last will and testament, and codicil, can be had and produced, and if the same shall be offered for probat, in such case the said court shall, in their discretion, have full power and authority to cause such copy of the said last will and testament, and codicil, to be duly recorded among the records of the orphans court of Baltimore county.

Court to call
the parties be-
fore them, &c.

III. AND BE IT ENACTED, That the said copy of the last will and testament, and codicil, of the said Nicholas Merryman, deceased, when so recorded, shall be taken and considered, to all intents and purposes, to be the true and legal last will and testament, and codicil, of the said deceased, and shall have the same force, validity and effect, that the said last will and testament, and codicil, of the aforesaid deceased Nicholas Merryman would have had, if the same, in all their parts, had been recorded, as part of the same hath already been.

Copy to have
force, &c.

C H A P. XXV.

An ACT to alter and change the names of Mary Smock, Robert Smock, John Smock and Anne Smock, of the city of Baltimore, into the name of Nesbit.

Passed 31st of
Dec. 1801.

WHEREAS Mary Smock, Robert Smock, John Smock and Anne Smock, of the city of Baltimore, have petitioned this general assembly that the surname of the said Mary, Robert, John and Anne, may be changed to that of Nesbit; and the prayer of the petition being reasonable, therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for the aforesaid Mary, Robert, John and Anne, after the passage of this act, to take upon themselves respectively the surname of Nesbit, instead of their present surname, and also for the descendants of the said Robert and John respectively to take upon themselves the surname of Nesbit, and the surname of the said Mary, Robert, John and Anne, shall be and hereby is changed and altered into the surname of Nesbit; and the said Mary and Anne, unless they shall intermarry, or either of them, with a person or persons of different name or names, and the said Robert and John, and the heirs of their bodies respectively, shall at all times hereafter be called by, and hold and use, the surname of Nesbit only.

Persons to take
the name of
Nesbit, &c.

III. AND BE IT ENACTED, That all securities, promises, contracts, assurances, deeds and lawful acts whatsoever, heretofore made, or hereafter to be made, by or to the said Mary, Robert, John and Anne, by their respective names, and the surname of Nesbit, shall be of the same force and effect, and equally avail, to all intents and purposes, as if the surname of Nesbit had been the true and proper surname of the said Mary Smock, Robert Smock, John Smock and Anne Smock, respectively, at all times from their several births, any law, statute or custom, to the contrary notwithstanding.

Securities, &c.
to have force,
&c.