

as aforesaid, to every recruiting officer who shall enlist and deliver twenty able bodied effective recruits on or before the first day of March next. C H A P. VIII.

XIII. AND BE IT ENACTED, That the governor and the council are hereby empowered to draw on the sheriffs of the several counties, or any of them, for any sums of money collected in virtue of the laws relating to the assessment of property within this state that may be necessary to carry into execution this law, as far as it relates to the recruiting service. Governor, &c. to draw, &c.

XIV. AND BE IT ENACTED, That the governor and the council shall have full power and authority to contract with any king, prince or state, or any private person whatsoever, or their agents, for the purchase and importation of arms, cloathing, military stores, and other necessities, upon such terms, and in such manner, as the general assembly shall from time to time prescribe and direct. They may contract, &c.

XV. AND BE IT ENACTED, That the recruits aforesaid shall be carried by the recruiting officers respectively before the lieutenant of the county in which such recruits are raised, to pass muster, and no part of the county aforesaid shall be drawn by any recruiting officer for any recruit not passed by such lieutenant. Recruits to pass muster.

C H A P. IX.

A Supplementary act to an act, entitled, (a) An act to establish orphans courts in the several counties of this state. Lib. GR. fol. 112. Passed 3d of Dec. 1777.

(a) February, 1777, ch. 12.

WHEREAS by the said act not less than three of the justices of the said courts can call and adjourn the same on the several days of meeting in the said act specified, and as the extremity of weather, and other casualties, have prevented, and may frequently prevent, that number of justices from attending on the said days of meeting, by means whereof the business of said courts hath been and may be much impeded; for remedy whereof, Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for any one or two of the justices of the said orphans court who may or shall hereafter attend on any of the respective days established by the said act for holding the said orphans court, or on any day to which such court shall have been regularly adjourned, to call and adjourn the same from time to time, until three or more of the said justices shall attend, who may proceed to the business of the said court, according to the directions of the said act. One justice may adjourn.

III. AND, whereas the said court hath not any power or authority, by the said act, to compel any person or persons concerned in testamentary affairs, or any witnesses, whose residence is in any other county of this state, to appear before them; and for the want of such power and authority the representatives of deceased persons have been and may be much injured; BE IT THEREFORE ENACTED, That it shall and may be lawful for the said courts respectively to call, or cause to be brought before them by summons, attachment, or other process, (as the case may require, directed to the sheriff of the county where the party may reside,) any person or persons who may reside in any other county within this state, and who may have administered or taken letters testamentary, or shall hereafter administer or take such letters, and also all witnesses necessary to establish the truth of controverted facts within their county, and in every respect the said courts shall have all the power, jurisdiction and authority, within this state, to issue process against persons administering or taking letters testamentary as aforesaid, and witnesses, that the commissary-general hath heretofore had, used or practised. Courts to have the same power, &c.

IV. AND BE IT ENACTED, That the register of wills, when required, shall, in the recess of the said court, take all probats of wills, grant letters of administration, and letters testamentary, also warrants to appraisers, in cases where there is no dispute, and every respect have the same power, jurisdiction and authority, that the deputy-commissary hath heretofore had, used or practised, any thing in the said act to the contrary notwithstanding. Register to take probats, &c.

V. AND, whereas in several of the counties of this state, the judges of the orphans courts have refused or neglected to act, whereby much inconvenience hath arisen and may arise, unless remedied by an immediate provision; BE IT THEREFORE ENACTED, That it shall and may be lawful for the judges of the orphans court aforesaid, appointed or to be appointed in the several counties where they may have neglected or refused as aforesaid, to meet at the respective places of holding their said courts, Justices to meet, &c.