

husband's brother, or sister's husband; shall be and the same is hereby repealed and made void; and all marriages heretofore made and celebrated by and between persons related within the degrees of affinity before mentioned, are hereby confirmed and made valid in law, to every intent and purpose, from the time of the celebration of such marriages respectively; and all penalties, forfeitures and consequences, which may have been incurred under the said recited act, by any marriage within the degrees of affinity aforesaid, are hereby released and discharged, and the parties forever acquitted of the same; and no penalties shall hereafter be incurred under the said act in consequence of any marriage within the degrees of affinity herein before mentioned, but every such marriage shall be good, sufficient and valid in law, any thing in the said recited act to the contrary thereof in any wise notwithstanding.

CHAPTER 27.

A Supplement to the Act, entitled, *An Act to establish Pilots and regulate *Nov. 1787,
their fees. ch. 26.

Merged in 1803, ch. 63.

CHAPTER 33.

AN ACT for the better administration of Justice in the several counties of this state.

Until this period, the county courts, underwent no change from their colonial organization, by the Lord Proprietary. By this act the state was laid off into judicial districts. A Chief Judge of 'sound legal knowledge,' was to be appointed, for each district, and two persons of 'integrity, experience and knowledge,' were to be appointed; who should be residents of the county for which they should be respectively commissioned, and who should be styled 'Associate Justices,' of the county for which they should be commissioned. The Chief Judge of the district, with the Associate Justices of the county, were to compose the court of the county, for which the Associates were commissioned. The Judges created by this law were to hold their commissions 'during good behaviour, to be removed for misbehaviour, in the same manner as the Judges may be removed, under the constitution and form of government.'

This law was repealed, by 1796, ch. 43, except the fourth section thereof, which provided for the organization of the court.

The act of 1796, ch. 43, provided for the like organization of the courts.

The act of 1796, ch. 43, was repealed by the act of 1801, ch. 74, and re-enacted in totidem verbis, the act of 1796, ch. 43. The passage of the law of 1801, was resisted with great feeling, as it was supposed by its opponents to be an attack on the independence of the Judiciary. Judges Stone, Craik and Wittington, were not re-appointed under the law of 1801. Messrs. Sprigg, Clagett and Polk, were called to succeed them. Judge Wittington sued out from the general court of the eastern shore, a quo warranto against Judge Polk, (who had been called to the bench in the judicial district in which he had presided,) to the end that the constitutionality of the law of 1801, might be submitted to a judicial decision. The