

within this Province for remedy Be it Enacted By the Lord Proprietarie of this Province of and with the assent and approbation of the freemen of this Province That the Leivten^t Generall or in his absence his Deputie or otherwise the first Councillour resident in the County shall prove Wills and Grant Administracōns & exercise all Temporall jurisdictions to Testamentary causes appertayning And shall doe or cause to be done right to all persons in all such causes according to the law of the Province & in defect thereof according to the Law or lawdable usage of England in the same or like cases & where the same is uncertain or doubtfull then according to equity & good concience. And be it further Enacted that the Leivten^t Generall where no party, haveing right to the Succession of goods of any deceased intestate clameth the administracōn of the same) Shall have power himself to administer all estates intestate And that all persons administring shall within a time to be appointed by the Councill if the Leivten^t Generall adm. or be Ex^t and if other than by the Lieutenant Generall with advice of the Councill make Sale of the whole Estate administred on at an outcry (except the Cattell of the deceased where the debts of the deceased doe not require it hoggs excluded from this exception) and Shall at the next Court of S^t Maries after the said outcry deliver in the accompt of the Severall debts debtors and other parcells of the estate to the Register of the said Court by him to be recorded

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Provided Never the less that if any person to whom by reason of his right to the Succession of the goods of the intestate the administracōn shall be granted or shall be executor by will of the deceased proved shall put in Sufficient security to the Leivten^t Generall for the Payment of all debts & legacies of the deceased that then they shall not be obliged to make Sale of any of the goods of the deceased at an outcry but Shall appraise as afores^d the Estate & give account of the Estate to the Leivten^t Generall upon oath as in England Executors ought to do Likewise th^t if any Legatee shall put in Security to the Court to pay the value of the Legacy or such part of it as the Debts shall require if the rest of the Estate be not Solvent to Creditors that then that party shall have his Legacie in kind And in all Cases concerning right demanded from by or out of those Estates which the Leivten^t Generall shall administ^r the Councill of the Province shall be understood Judge and because according to this & some other Laws some cases may arrise where the assistance of the Councill will be necessary & the present Councill may either die or be absent or be disagreeing equally Therefore it Shall be Lawfull (in any the cases aforesaid) For the Leivtenant Generall to nominate one or more Councillours to the Effects aforesaid

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