

make it appear to the Comissary Generall that he hath had such Considerable toile as aforesaid and no benefitt hath arisen to him thereby to recompence his said toyle It may be lawfull to and for the Comissary generall to allow such Executor or Administrator something in the whole for such pains and desperate Debts at the discretion of such Comissary Generall not exceeding five pounds sterling per Cent. on any one Mans Estate. Lib. L. L.
No. 64.
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But for such part of the decesd's Estate that shall remaine (after all Debts and Charges paid and disbursed and account past before the Comissary Generall) to Residuary Legatees or other Legatees or next of Kindred and delivered to them in Specie without traversing the Estate and converting it into mony or Tobacco for that purpose there shall be no Sallary allowed any usage Custom or former Act of Assembly to the contrary notwithstanding.

And further in regard by the Judges or Comissary Generall for proving of wills and granting Administrators Comission there is a saving to all persons their right of appeale from the sentence of the said Judge to the Chief Governour of this province for the time being.

Be it enacted by the Authority aforesaid by and with the Advice and consent aforesaid that all and every person and persons appealing from the Sentence of the said Judge shall within fifteen days at the farthest after such sentence enter his appeale before the said Governour and within fifteen days more petition the Governour of this province for the time being to examine the Sentence of the said Judge or appoint such other person or persons as he shall think fitt to hear and determine the same whose sentence shall be finall without other appeale repeale or review

Be it enacted by the Authority aforesaid by and with the Advice and Consent aforesaid that the Comissary generall of this province or other person that shall from time to time be appointed as Judge or Judges in Testamentary Causes for granting Administrations shall from time to time and at all times during his or their Continuance in such Office Constitute ordain and appoint some able and Sufficient person of good repute and a freeholder in every respective County within this Province to take the probatt of any last Will and Testament of any persons either Nuncupative or in writing even though the same be concerning titles of land and likewise the granting of any Administration of the goods and Chattells of persons dying intestate in the respective County or Countys where each person or persons so appointed shall reside and inhabitt which said person in each respective County of this Province so appointed as aforesaid shall and p. 27