

miss of their Election and soe Want One of their number of Lib. R.
Delegates in the said Assembly w^{ch} (if they make choice of
the said ffendall) they will certainly Doe, he having formerly
been chosen & not admitted to sitt in the Assembly

[Nuncupative Wills.]

By the Leiu^t Gen^l a Proclamation

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Whereas the Assembly of this Province have not yet Suffi-
ciently provided for many needfull matters relateing to the
Succession of lands tenements heriditaments goods & Chat-
tles of persons dyeing within this Province & have obliged
the severall & respective Courts of this Province to proceed
according to the Laws of England in cases wherein the lawes
of the Province are Silent so farre forth as the lawes of the
said Kingdom are practicable in this Province And whereas
his Sacred Majesty by one act of Parliament made in the nine
& twentieth yeare of his Reigne Entituled An act for preven-
tion of frauds & purjurers amongst other things takeing notice
of the fraudulent Practices in Setting up Nuncupative wills
which have been the Occation of much perjury hath enacted
that from & after the four and twentieth day of June which
was in the yeare of our Lord God 1677 No Nuncupative will
shall be good where the Estate thereby bequeathed shall
Exceed the value of thirty pounds Sterling that is not proved
by the Oathes of three Wittnesses (at the least) that were
present at the makeing thereof nor unlesse itt be proved that
the Testator did bid the persons present or some of them
bear witness that such was his will or to that effect nor unlesse
such noncupative will were made in the time of the last Sick-
ness of the deceased & in the house of his or her habitation or
Dwelling or where he or shee hath been resident for the
Space of ten daies or more next before the makeing of such
will Except where such person was Surprised or taken sick
being from his owne home and dyed before he returned to
the place of his or her dwelling And further that after six
moneths past after the speakeing the pretended Testamentary
words no testimony shall be received to prove any will Nun- p. 159
cupative Except the said Testimony or the Substance thereof
were Comitted to writeing within Six dayes after the make-
ing the said will nor shall letters testamentary or probate of
any nuncupative will passe the Seale of any Court till four-
teene dayes after the decease of the testator nor be received
to be proved till the widowe or next of Kindred of the
deceased be cited to contest the said will if they please nor
shall any will in writeing concerning goods or Chattles or
personall Estates be repealed altered or Changed by any