

And be it further Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid that the Severall and respective Deputy Comissarys which are and shall be in the Severall and respective Countys within this Province shall and are hereby sufficiently authorized and impowered to pass audite and allow all such accounts as shall come before them relating to dead mens Estates wherein they have granted letters of Administration or Letters Testamentary not exceeding fifty pounds Sterl. and to transmitt such Accounts within two Months to the Comissary Generalls Office at Annapolis under the penalty of two thousand pounds of Tobacco one half to her Majesty for the Support of Government and the other half to such party that shall pass such Account and to transmitt the same to the Comissary Generall for which passing such Account the said Deputy Comissary shall be allowed as a ffee the Sumē of fifty pounds of Tobacco and no more And if such Deputy Comissary as aforesaid shall exact demaud or receive of any person whatsoever more than is by this law for executing such his Office allowed him he shall be lyable to such pains aud penaltys as are included in a certain Act for limitting Officers ffees in this province but in case it shall so happen that any person or persons having any interest or claime in Such Estates shall make any objections to the legality or Justice of any Article or Articles contained in the said Accounts then the said Deputy Comissarys are forthwith to mark such Articles and transmitt the Account with all papers thereto belonging unto the Comissary Generall before whom all partys are to appeare and defend their Interest.

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And whereas many men have bequeath and devised or hereafter may bequeath or devise to their wives by their last Wills a Considerable part of their personall Estate intending no doubt but not expressing that such bequest or devise should be in full of such wives part portion or third part of the Testators Estate and yet such wives widows and relicts have not only claim'd such bequest and devise as legacys but have farther claim'd their part of the remaining Estate of their deceased husbands,

Be it further Enacted by the Authority aforesaid by and with the advice and Consent aforesaid that in such Case where the Testator bequeaths & devises a Considerable part of his personall Estate to his wife and it appears not in any part of his will or Codicill that he intended the said Devise as a legacy to his wife only and that she might nevertheless have her third part of his remaining estate that it shall be at the election of such wife widow or relict within forty days inclusive to make her Election before the Judge for probatt of wills or the respective Deputy Commissarys in each respective County