

Adm<sup>rs</sup> that having no Salary therefore they should be negli- c. P.  
gent or too Sparing of paines to Improve the Testators or  
others Estates—

Be itt Enacted by the Authority Advice and Consent af<sup>d</sup>  
that where the Executor or Administrator can fairly make p. 234  
appear to the Commissary Gen<sup>l</sup> that he hath had such Con-  
siderable Toyle as af<sup>d</sup> and no benefitt hath Arisen to him  
thereby to recompense his said Toil It may be Lawfull to and  
for the said Com<sup>ry</sup> Gen<sup>l</sup> to Allow such Ex<sup>r</sup> or Administrator  
something in the whole for such paines and desperate debts  
att the Discretion of such Commissary Gen<sup>l</sup> not Exceeding  
five p Cent on any one Mans Estate.

But for such part of the Deced's Estate that shall remaine  
(after all debts and Charges paid and Disbursed and Acc<sup>t</sup> past  
before the Comm<sup>ry</sup> Gen<sup>l</sup>) to residuary Legatees or other  
Legatees or next of Kindred and Delivered to them in Specie  
without Traversing the Estate and Converting itt into Money  
or Tob<sup>o</sup> for that purpose there shall be no Salary allowed Any  
Usage Custome or former Act of Assembly to the Contrary  
notwithstanding.

Thirteenth—And further in regard by the Judges or Com<sup>ry</sup>  
Gen<sup>l</sup> for probatt of wills and granting adminis<sup>ns</sup> his Com<sup>sn</sup>  
there is a Saving to all persons their right of appeale from the  
Sentence of the said Judge to the Chiefe Govern<sup>r</sup> of this  
province for the time being—

Be itt Enacted by the Authority af<sup>d</sup> by and with the Advice  
and Consent af<sup>d</sup> that all and Every person and persons Ap- p. 235  
pealing from the Sentence of the said Judge shall within  
fifteen days at the farthest after such Sentence Enter his  
Appeale before the said Govern<sup>r</sup> and within fifteen days more  
Petition the Govern<sup>r</sup> 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 or review. Provided nevertheless that in Case  
the person or persons against whome such Sentence shall  
pass shall Comply with the same then itt shall and may be  
Lawfull for the Govern<sup>r</sup> or such Court of Delegates to grant  
an appeale therefrom.

And be itt further Enacted by the Authority af<sup>d</sup> by and with  
the Advice and Consent af<sup>d</sup> that the Com<sup>ry</sup> Gen<sup>l</sup> of this pro-  
vince or other person or persons that shall from time to time  
be Appointed as Judge or Judges in Testamen<sup>ty</sup> Causes for  
granting Adminis<sup>ns</sup> shall from time to time and att all times  
dureing their Continuance in such Office Constitute ordaine  
and Appoint some able and Sufficient person of good repute