

by becomes legally possess'd thereof, by virtue whereof he not only Satisfies himself, but all other Creditors their just Claims, but likewise retains in his Hands the total Residue of such Estate, and converts the same to his own Use, on Pretence of Securing himself against such latent Debts as may thereafter appear; whereby such Administrator has the sole Benefit of such Goods and Chattels, as he had no other Pretence of Right to, save for the satisfying himself a Debt, and perhaps but a small one, out of the Deceased's Estates: For the more just and better Application of which Residues for the future;

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II. Be it Enacted, by the Right Honourable the Lord Proprietor, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That every such Administrator as aforementioned, shall be obliged to pay and Satisfy the Balance of such Estates to one of the Public Treasurers of this Province, for the Time being, in the same Manner as such Administrator should have been obliged to pay the same to any legal Residuary Legatee by Law, in case any such should have appeared; to be applied to the Use of Schools, in the same Manner as the additional Duty of Twenty Shillings per Poll on Irish Servants and Negroes, is directed; save that whereas by the Act for the better Administration of Justice in Testamentary Affairs, &c. sundry Particulars of Goods and Chattels are directed to be paid in Specie, according to Appraisement to the Residuary Legatees, in this case such Administrator shall be obliged to pay the said Balance of such Estate, according to the true Value thereof, in Current Money, for the Payment whereof he shall be allowed Twenty per Cent, (That is to say) Ten per Cent over and above the Ten per Cent usually allowed.

III. Provided, That in case such Administrator be of Kin to the Deceased, within the Fifth Degree of either Consanguinity or Affinity, that then such Administrator, and all others that are as nearly related to the Deceased as such Administrator, shall have as good a Right to such Residue, as if he or they were Brothers, or Sisters Children to the Deceased, and such Balance shall be distributed accordingly.

IV. Provided nevertheless, That in case there be a Widow, no Collaterals shall be admitted, others than those directed by an Act of Assembly of this Province, entitled, An Act for the better Administration of Justice in Testamentary Affairs; but such Widow shall have the whole Residue of such Estate; any thing herein before contained to the contrary thereof in any wise notwithstanding.