

whereby the Iustices had Power to appoint a Register: Likewise in the same Book Folio 32. An Act for assuring of Titles to Land; in which all Persons inheriting by Testaments, were empowered to enter with the Register of every Court their Title, Also, in the same Book Folio 61, the following Entry, viz. "Memorandum, That at the first meeting of the Assembly on the 25th Day of February 1638, was enacted and ordained one Act as followeth"—precedent to which the former two Acts were recorded; but we cannot discover any Dates, so as to shew the Time they were enacted.

L. H. J.
Liber No. 46

We find in Liber S Folio 18, in the said Office, a Will recorded, and Probat of a nuncupative Will, taken before William Bretton, the 15th April 1658. We also find in the same Book, Folios 74, 75 and 76 the will of John Lloyd, dated June 26. 1658, recorded, and two of the subscribing Witnesses to the same sworn to the Proof thereof, before William Bretton; and the said Bretton, who likewise was a subscribing Witness to the same Will, was sworn to prove the same before Philip Calvert Esq. And we likewise find in the same Book, Folio 76 and 77, that the said Philip Calvert Esq^r was stiled Judge in Testamentary Causes, and Secretary.

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And we are informed by the Clerk of the Provincial Court, that he has seen several Wills and Testamentary Affairs recorded in the Books in the said Office; but not being regularly alphabeted, they cannot without Difficulty be found.

We also find in the aforesaid Lib. C and W H, Folio 73, Bills enacted for Laws, at the Session of General Assembly, 12th August 1641, one Act entituled, An Act for Causes Testamentary; wherein is contained, among other Things that the Lieutenant General, or, in his Absence, his Deputy, or other the first Councillor resident in the County, shall prove Wills, and grant Administrations, and exercise all temporal Iurisdictions to Testamentary Causes appertaining.

We also find in Liber W. H. Folio 139, An Act for Preservation of Orphan's Estates, made Anno 1671; wherein, among other Things, it is enacted,

That all last Wills and Testaments shall be firm and inviolable, unless the Executors or Overseers thereby appointed, do refuse to execute the Trust reposed in them by the Testator: In which case, the Chief Iudge for Probat of Wills and Granting Administrations, shall grant Administration, with the Will annexed, to some other Person, as in his Discretion shall seem meet.

We also find in the same Book, Folio 276, An Act for Limitation of Officers Fees, made the 15th of May 1676, among which Fees is as follows, viz.

Fees to the Iudge in Testamentary Causes.

For every Commission to prove a Will

For recording Wills.