

ing Administrations within this Province, which hath hitherto been often delayed by tedious Methods used in Chancery, before the Judges Sentence in the said Court could take Effect, the Methods of England being at present not practicable here; **Be it therefore Enacted, by the Authority aforesaid, That** the Prerogative Court for Probate of Wills, within this Province, shall have such like Authority in the enforcing Obedience to the Process, Orders, Interlocutory Sentences, and Decrees thereof, as the High Court of Chancery now hath; or of Right ought to have; and that every Person or Persons that shall not, after Sentence given in the said Court against him or them, within fifteen Days after such Sentence, enter his Appeal with the said Judge from such Sentence, and within fifteen Days more, procure an Examination thereof by a Court of Delegates, nor in the mean Time comply with the Sentence of the said Judge, it being sent to them under the Hand and Seal of the said Judge, nor give in Security to perform the same, and Oath made of the Refusal thereof, it shall and may be lawful to and for the said Judge, to issue forth of the said Office, under his Hand and Seal, an Attachment against the Bodies, Goods or Chattels of the said Persons so refusing, and him or them to imprison, or his or their Goods, Chattels or Credits to attach, until he or they satisfy or comply with the said Sentence.

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the like Powers to enforce Obedience to its Process, &c. as the High Court of Chancery, Attachments may issue out against Body, Goods, &c. of the Persons neglecting or refusing to prosecute Appeals, or comply with its Sentence.

**XLI. And whereas** Orphans and Creditors are many Times injured by the low Appraisements, and undervaluing of the Estates of the Deceased, therefore, **Be it Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That** when any Executor or Administrator doth appraise the Estate of the Deceased, he shall give Notice of such his Appraisement, and call together two of the next of Kin of the said Deceased, and two of the Creditors of the said Deceased, if any there be, who shall be present at the said Appraisement, with the sworn Appraisers; and shall certify to the Commissary, or his Deputy, under their Hands, that they were present at the Appraisement, and do approve thereof. And if any Executor or Administrator return an Inventory without such Certificate as aforesaid, or without making it appear that such Kindred or Creditors, having due Notice of the Time and Place of such Appraisement, refused or neglected to be present, the said Judge, or his Deputy in each respective County in this Province, shall not accept or receive the same into his or their Office or Offices.

Two of the next of Kin, and two Creditors of the Deceased, shall have Notice to be present at the Appraisements, &c.

**XLII. And be it further Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That** from and after the Publication hereof, no Person or Persons, being Executors or Administrators of any Person deceased within this Province, shall be liable to pay or satisfy Debts contracted out of this Province, of what Nature or Quality soever, (\* Debts due to his sacred Majesty, his Heirs and Successors, only excepted) before Debts due within this Province from the Estate or Estates of any Person or Persons deceased, shall be paid and satisfied, if such Executor or Administrator shall have Assets in his, her, or their Hands, sufficient to pay and satisfy the same, such Executors and Administrators having respect to the Quality of the Debts due within this Province as aforesaid; unless the Creditor or Creditors of the Deceased, being Persons residing out of this Province as aforesaid, on any Action or Actions by him, her or them, brought against such Executors or Administrators as aforesaid, upon any Debt or Contract of a higher Nature than those contracted within this Province as aforesaid, be it by Statute Merchant, or of the Staple, Judgment, Bond, or otherwise, do, upon Trial, sufficiently make it appear, that such Executor or Administrator had due Knowledge and Cognizance thereof; upon due Proof thereof as aforesaid, if such Executors or Administrators shall have paid Debts of an inferior Nature, not recovered against them by due Course of Law, or suffer Judgment to go against them for any such Debt as aforesaid, without pleading such Foreign Debt in Stay of Judgment, such Executor or Administrator, not having Assets in his, her, or their Hands, sufficient to pay the Debt as aforesaid, and satisfy the same,

County Debts to have the Preference in all Payments made by Executors, &c. (respect being had to the Quality of the Debts) except Debts due to the Crown, unless Cognizance be proved of Debts of a higher Quality due to Non-Residents. In which case if Debts of an inferior Nature have been paid without any legal Recovery, or such foreign Debts not pleaded in Stay of Judgment;