

" the estate, of any person deceased, within
 " the county where he dwelleth as aforesaid.
 " But if any contest or dispute shall arise between
 " any persons, concerning the right to admini-
 " strations or executorship, the same shall be de-
 " cided by the commissary-general, or judge
 " in testamentary causes, and not by such per-
 " son appointed in each county as aforesaid;
 " neither shall such person grant administration,
 " or take the probate of such will, till such
 " time as such dispute or difference shall be de-
 " cided and determined by the proper judge
 " thereof, and certificate from such judge of
 " such determination or decision," &c.

The same act further enacts, § 34, " that the
 " several and respective deputy commissaries,
 " which are and shall be in the several and respec-
 " tive counties within this province, shall, and
 " are hereby sufficiently authorized and empow-
 " ered to pass, audit, and allow, all such accounts
 " as shall come before them, relating to dead
 " men's estates, wherein they have granted let-
 " ters of administration, or letters testameta-
 " ry, not exceeding fifty pounds in money, pro-
 " vided there be no controversy thereon," &c.

Their power
 in passing of
 accounts.

And by act of assembly 1722, chap. 10, it is Deputy com-
 ordained, " that every deputy commissary shall missary's
 " enter into bond with sufficient sureties, (such bond.