

shall obtain any grant for any lands whereof such person or persons are the real owner or possessors thereof, and whereupon he she or they have already built or shall hereafter build a Water-mill, as this Law hath before directed, shall have any right, title or claim to any land granted to them for any time or term whatsoever after such Mill by him or them already built as aforesaid, or that shall hereafter be built, shall be casually broke or gone to decay as aforesaid other then two years for the new erecting, building, finishing and repairing of such Mill as aforesaid, but that in all & every cause where any person or persons that have already built or that shall hereafter build any Water-mill which are or that shall hereafter be broke or gone to decay as aforesaid, and shall not within two years after the publication hereof, or within two years after such Mill shall become broke or gone to decay as aforesaid, cause the same to be new built, repaired or finished as aforesaid, it shall and may be lawful for the real owner or owners of such land to such person or persons so granted as aforesaid to reenter upon the same, and in case such person or persons shall deny or refuse to give the owner & owners of such land as aforesaid peaceable and quiet possession thereof, such owner or owners shall and may recover his right to the same, by ejectment or otherwise as the Law doth direct, any thing in this Act contained to the contrary notwithstanding. And for prevention of the abuse frequently committed by persons keeping Water-mills by taking exccive toise.

Be it therefore Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, that from and after the publication hereof as aforesaid, no Master, Owner, Miller or other Person properly belonging to otherwise owning any Mill within this Province, shall ask, demand or receive for grinding any quantity or quantitys of indian corn or Wheat whatsoever above the sixth part of every bushel of Indian corn, and eighth part of every bushel of Wheat by him or them for ground as aforesaid, upon penalty & forfeiture of one thousand pounds of tobacco to the use of his Majesty his Heirs and Successors for the support of Government, to be recovered in the respective County Courts by Action of Debt Bill Plaint or Information, wherein no Ejoy Protection or wager of Law shall be allowed, any other Act usage or custom to the contrary notwithstanding.

Provided always that if any person upon encouragement of former Acts hereby repealed have begun to build any Mill they shall still have all those advantages that they might have had by such Act hereby repealed, as if the former Act or Acts were still in force.

C. 41. 1774

An Act for the better administration of Justice in Probate of Wills and granting Administrations, recovering of Legacies, and securing Filial Portions.

For Law Title 20. Sec. 2. 1774

W H E R E A S for the due administration of Justice it is most necessary that there be a settled Succession from the dead to the living, and that the wills of all Persons may be duly proved, and Letters of Administration of the Estates of all persons dying without Wills may be granted to such persons who have the best Right to succeed thereto, that there may in that case be no failure of Justice, but that it may be duly administered within this Province, and all legacies speedily recovered, and Filial Portions and Orphans Estates duly secured & easily obtained, according to the true intent of the Laws heretofore made, (now in force) or hereafter to be made.

B E I T E N A C T E D by the Kings most Excellent Majesty by and with the Advice and Consent of this present General Assembly and the Authority of the same, that the Judge or Commissary General for probat of Wills and granting Administrations shall hold his Court once in two Months at the least, or oftner as the case shall require, regard being had to the distance of the inhabitants of the Suitors in the said Court, and the dispatch of persons not inhabiting in this Province who have frequent occasion to seek Justice in the Court for probat of Wills & granting Administration before the Judge thereof, and forasmuch as certainty is the Mother of Repose, and that our dependance upon *England* obliges us to make all our Laws as near as may be consonant to the Laws of *England*.

Be it further Enacted by the Authority aforesaid, that the Judge for probat of Wills and granting Administrations within this Province in all cases relating to probat of Wills and granting Administrations shall proceed according to the laws