

46 *For the better Administration of Justice in the County of Middlesex*  
of England now in force or to be hereafter in force within this County of Middlesex  
Law shall be published in the Kingdom of England, if pleaded before the Judge  
in such cases as by this present Act is provided, and that it shall be lawful  
for the Judge for probat of Wills to prove any last Will made by a person  
altho' the same concern title to land, any law, usage or custom of England to the  
contrary notwithstanding.

And to the end that all Filial Portions may be secured to the Children of all  
persons dying intestate, and legacys paid to legatees of persons who make Wills,  
be it likewise Enacted, first that the Judge for probat of wills and granting admi-  
nistrations shall call all Executors and Administrators to account for the Estate of  
all persons deceased within twelve Months next after administration committed,  
and if any Administrator shall fail to give an account within the time aforesaid be-  
ing lawfully thereunto cited, that then the said Judge shall revoke the first letters  
of admistration to such Administrators committed, and shall grant admistration  
*in de bonis non Administrat'* to some other person as in his discretion he shall  
think fit, which said Administrator duly appointed shall give security as all other  
Administrators do, and shall sue and implead the former Administrator before the  
Judge aforesaid for an account of the Estate of the Intestate, and in case it shall  
appear to the Judge aforesaid, that the former Administrator hath wasted and im-  
beled the Estate of the Intestate, then the Judge shall assign the Bond entred into  
by the former Administrator and his Surety unto the latter Administrator to be re-  
covered against them for such wasting or imbezling.

Secondly, That the Judge upon account given by the first Administrator as aforesaid  
shall make division of the clear Estate of the deceased after debts paid and fu-  
neral expenses defrayed, that is to say, shall allow to the Widow or Relict of the  
said Intestate if any such be one full third part thereof, and the other two  
thirds be equally divided among the children of the said deceased (if any such be)  
and if no such be, then between the next of blood of the said Intestate, and after  
such division every shall transmit the account thereof to the severall and respective  
Justices of the County Courts where the said Estate shall be and remain, who are  
by this Act appointed, authorized and enjoyned to put the persons Lands, Goods  
and Chattel of the Orphans into the hands of such persons as they shall think fit,  
taking Bond with two sufficient sureties in the names of the Orphans themselves,  
for the securing and delivering of the said Estate to the said Orphans or their  
Guardians when thereunto lawfully called, according to the rules and directions  
hereafter by this Act prescribed, established & ordained and not otherwise, which  
rules shall be rules not only for the justices of the County Courts to proceed by  
in taking the accounts of Guardians or Trustees for Orphans, but also for the  
Judge for probat of Wills and granting Administrations in the account of Admin-  
istrators and last Executors to the benefit of others, nor shall the Judge give any  
other allowances to any Administrator or Administrators upon his or their account  
but for debts *bono fide* owing from the deceased, and really paid or secured to be paid  
by the severall and respective Administrators.

10. No Negro or other slave shall be sold or disposed of by any Administrator  
for payment of debts, or otherwise reserved for the Administrators own use, in sa-  
tisfaction for any debts due to the said Administrator, nor any Execution served  
upon any Negro or other Slaves so long as there shall be other Goods of the de-  
ceased sufficient to satisfy the said debts of the deceased, but shall be kept upon the  
benefit of the Estate and employed for the benefit of the Creditors and Orphans if  
any be during the full year, at the end of which the Administrator is to account  
for the Estate and the profits of such slave shall be Affected to the Creditors and di-  
vided between the Wife and Children or Relations of the said deceased if  
there be no Creditors the Judge for probat of Wills upon passing the account by  
such Administrator shall allow him his reasonable charges.

11. That no Account be allowed for Dyer, Schoolers, Physick or Education to a-  
ny Administrator or Guardian to any Orphan against the Estate of the Intestate,  
or against the filial part of any Child committed to any Guardian or other persons  
entrusted by the County Court, but that the said Orphan shall be maintained and  
educated by the interest of their Estate and the increase of their Stocks, so far forth  
as their land interest and increase will extend: But if the Estate be so small that it  
will not extend to a free education of such Orphans, shall be bound Apprenticed to  
some