

Be present at the said appraisement with the sworn Appraisors and shall certify to the Comptroller 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 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 of Offices.

And be it further Enacted by the Authority aforesaid by & with the Advice & Consent aforesaid, that from & after the publication hereof no person or persons being Executors or Administrators of any Estate within his Province shall be lyable to pay or satisfy debts contracted out of this Province of what nature or quality soever (debts due to her Sacred Majesty her Heirs & Successors only excepted) before debts due within this Province from the Estate or Estates of any person or persons deceased shall be paid & satisfied if such Executor or Administrator shall have Assets in his her or their hands sufficient to pay & satisfy the same: such Executors & 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 Tryal sufficiently make it appear that such Executor or Administrator had due knowledge & cognizance thereof upon due proof thereof as aforesaid if such Executors or Administrators shall have paid debts of an inferior nature not recover'd against them by due course of Law or suffer'd 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 & satisfy the same the Court before whom such Action shall be brought shall give Judgment and award Execution against such Executors or Administrators *de bonis propriis* to such creditor or creditors as aforesaid as the Law in that case directs any thing in this present Act to the contrary thereof in any wise notwithstanding.

An Act for the marking of Highways and making the heads of Rivers Creeks Branches & Swamps passable for Horse & Foot.

WH E R E A S it is thought convenient and very much for the benefit of the Inhabitants of this Province that Roads & Paths be marked and the Heads of Rivers Creeks & Branches be made passable.

Be it therefore Enacted by the Queens most Excellent Majesty by & with the Advice & Consent of her Majesty's Governour Council & Assembly of this Province and the Authority of the same, that all Publick & Main Roads be hereafter cleared & well grubbed fit for traveling twenty foot wide and good & substantial Bridges made over all heads of Rivers Creeks Branches & Swamps where need shall require at the discretion of the Justices of the County Courts.

And for the better ascertaining what is or shall be deemed publick Roads.

Be it likewise Enacted by the Authority aforesaid, that the Justices of the County Courts shall set down & ascertain in their Records once every year what are the publick Roads of their respective Countys and appoint Overseers of the same and that no person whatsoever shall alter or change any such publick Roads without the leave or license of the Governour & Council or Justices of the County Courts upon the penalty of five hundred pounds of Tobacco.

And if any Overseer so appointed should neglect to clear the Roads so as aforesaid he shall be fined five hundred pounds of tobacco in cask, and every Labourer that shall refuse to serve & obey the Overseer and every Master of Servants that being summoned or warn'd shall refuse to send all his Taxable Male Servants to the Overseer aforesaid he or they shall be fined (that is to say) every Labourer one hundred pound of Tobacco and the said Master for every Servant warn'd and not sent one hundred pounds of Tobacco and the Clerk of the County is hereby oblig'd to issue our Warrants to the Overseers appointed upon penalty of one thousand pounds of Tobacco, and the Sherif of each respective County are to deliver the same to the severall & respective Overseers as aforesaid *ex officio* on penalty of one thousand pounds of Tobacco in cask the one half of all which Fines shall be employed and disposed of towards the defraying the County charge in such manner as the Commissioners of each respective County shall in their discretion think convenient, the other half to him or them that shall inform or sue for the same to be recover'd in her Majesty's Name for the use aforesaid by Bill Plaint or Information in any Court of Record within this Province wherein no Essoyn Process or Wager of Law to be allow'd.

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