

effectual, and available, and be prosecuted and sued forth in such Manner and Form, and in the same State, Condition, and Order, as if such Proprietary had Lived and continued in full Life; such Death or Demise as aforesaid notwithstanding. And that all and all Manner of Process and Judicial Proceedings whatsoever, that have been, or shall hereafter be, had or pursued, in the Time of any other than the Proprietary, at the Time of the pursuit of the Original, or other former Process, shall be made in the Name of the Proprietary, for the Time being, the said Proprietary having legal Right to the Government of the said Province, after due and public Notice or Proclamation given or made of the Death or Demise of such Proprietary, by such Person or Persons as shall be properly and legally authorized and appointed thereto; and that Variance, touching the same Process, between the Names of the Proprietaries, shall not be any wise material, as concerning any Default to be alleged or objected therefore: And that all Writs, Precepts, Actions, Suits, Pleas, Process, and Judicial Proceedings whatsoever, that shall be hereafter issued, had, done, continued, or executed, in the Name of any Proprietary having legal Right to the Government of the said Province, after the Death or Demise of such Proprietary, and before due and public Notice or Proclamation thereof given and made in the respective Counties within this Province, by such Person or Persons as shall be properly and legally authorized and appointed thereto, shall be good, effectual, and available in Law, to all Intents, Constructions, and Purposes whatsoever; the Death or Demise of such Proprietary notwithstanding.

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XXVII.

All Process and Judicial Proceedings shall be made in the Name of, the legal Proprietary, for the Time being, after Proclamation, &c. tho' originally commenced under another Proprietary; and no Variance in the Names shall cause Default.

All Process executed in the Name of any legal Proprietary, before Proclamation of his Successor, shall be good.

VII. And be it further Enacted, That from henceforth the Commission, Power or Authority of the Lieutenant-Governor, or Commander in Chief of this Province, for the Time being, shall not be determined or dissolved, by the Death or Demise of the Right Honourable the Proprietary that now is, or any of his Heirs or Successors, having legal Right to the Government of the said Province; but that such Lieutenant-Governor, or Commander in Chief, shall Continue and Act as such, until he shall be lawfully removed or discharged, or his Commission superseded or determined by the next Successor. And that hereafter, all Judges, Justices, Magistrates, and Ministers of Justice, and all and every Person and Persons in any of the Offices, Places, and Employments within this Province, shall Continue and Act in their respective Offices, Places, and Employments, according to their respective Functions, Duties, and Stations, notwithstanding the Death or Demise of the Right Honourable the Lord Proprietary that now is, his Heirs or Successors, until they shall be lawfully removed or discharged, or their respective Commissions superseded or determined by the next Successor, or the Lieutenant-Governor, or Commander in Chief, for the Time being; any Law, Usage, or Custom to the contrary notwithstanding.

The Power of the Governor shall not cease by the Death of the Proprietary, but he shall act as such till his Commission be determined by the next Successor.

All Judges, &c. and other Officers, shall continue to act, notwithstanding the Death of the Proprietary, till lawfully removed.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.

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