

Intestate in the respective County or Counties where each Person or Persons so appointed shall reside and inhabit; which said Person in each respective County of this Province, so appointed, as aforesaid, shall and may take the Proof of any Will whatsoever, as aforesaid, of any Person, as aforesaid, within the County, as aforesaid, and grant Letters Testamentary upon the same; and likewise grant Administration to any Person or Persons whatsoever, that Right has to the Administration of 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 Administration or Executorship, the same shall be decided by the Commissary General or Judge in Testamentary Causes, and not by such Person 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 decided and determined by the proper Judge thereof, and Certificate from such Judge of such Determination or Decision: And such Person so appointed, as aforesaid, shall and is hereby allowed, as a Fee for-granting such Letters of Administration, as aforesaid, Swearing the Administrators and Appraisers, or for the Probate of any Will, and Swearing the Executor or Executrix, Appraisers, and Letters Testamentary, the Sum of One hundred and fifty Pounds of Tobacco, to be levied by Execution after the same Manner, and under the same Penalties, directed by the Act of Assembly of this Province for Limitation of Officers Fees, against the Person or Persons requiring and having Letters of Administration, or Letters Testamentary, as aforesaid, unless the Estate be so small as the Inventory of such Estate doth not amount unto Ten Pounds in Money, there shall be paid to such Person so appointed for such Letters of Administration, or Letters Testamentary, as aforesaid, the Sum of Fifty Pounds of Tobacco, to be levied, as aforesaid, and no more; and then and in every such Case the Commissary General shall have no Fee.

AND be it Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That all Guardians of Orphans that shall have any Real Estates in Lands, with the Orphan or Orphans to whom the same belong, committed to them, other than such, whom the Testator in his Life-time, by his Last Will and Testament hath otherwise ordered and disposed of, within One Month after the taking upon him or her the Guardianship of such Orphan or Orphans, shall, with One Commissioner of the said County where the Land lieth, and Two other Persons of good Repute, and well skill'd in Building and Plantation Affairs, neither of them being of Kin, indebted, or otherwise interested in Orphan or Guardian, (such Two Persons to be nominated by such Commissioner) enter into the Land or Plantation to such Orphan or Orphans belonging, and view the Dwelling-houses and Out-houses, Lands, Orchards, and Fences, that are upon the said Plantation; and then and there the said Two Persons so qualified, as aforesaid, shall take their Corporal Oaths upon the Holy Evangelists, by the said Commissioner to be administered, That, according to the best of their Skill and Judgment, they will make a just Estimate of the Annual Value of the said Lands and Plantations, what Dwelling-houses, Out-houses, and Orchards, are upon the same, and what Repair they are in, what Part of the said Land the said Guardian may be further permitted to clear upon the said Plantation, as well to raise the Yearly Rent so valued, as aforesaid, as also towards his Yearly Charge in keeping the said Dwelling-houses, Orchards, and Fences, in Repair, and so by him to be left, always having a Regard to leave a proportionable Part both for Quality and Quantity of uncleared Land, for the Benefit and Advantage of the Orphans or Heir, when at Age, to possess the said Land and Plantation, as also the Orphan's Maintenance out of the same, where the Profits of Personal Estates be not sufficient to maintain him or them, and the same to certify under their Hands and Seals, attested by the Commissioner so administering the Oaths, as aforesaid, to the County Court next ensuing after