

Province from the Estate or Estates of any Person or Persons deceased shall be paid and satisfied, if such Executor or Administrator shall have Assets in his, her, or their Hands sufficient to pay and satisfy the same, or such Executors and 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 Trial sufficiently make it appear, that such Executor or Administrator had due Knowledge and Cognizance thereof upon due Proof thereof, as aforesaid, if such Executors or Administrators shall have paid Debts of an inferior Nature, not recovered against them by due Course of Law, or suffered 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, and 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.

Pass'd June 3d, 1715.



An Act ascertaining what Damage shall be allowed upon Protested Bills of Exchange. No. 62.

BE it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of His Majesty's Governor, Council, and Assembly of this Province, and the Authority of the same, That there shall not be allowed to any Person or Persons whatsoever, having just Cause to implead any Person or Persons whatsoever, living or residing within this Province, upon any Bill of Exchange, drawn for any Sum or Sums of Money whatsoever, payable in *England*, or elsewhere, and brought in here protested, more than the Sum of Twenty Pounds *per Cent.* Damages over and above the Debt sued for and recovered, together with ordinary Costs of Suit; Any Law, Statute, Usage, or Custom to the contrary notwithstanding.

AND be it further Enacted by the Authority aforesaid, That if any Person or Persons draw any Bill of Exchange upon any Person or Persons, or Society or Company, in *England*, or elsewhere out of this Province, and the same be protested, and the Protested Bills be return'd into this Province within Four Years after the Date of such Bills; That then the Debt or Damage occasioned by the Non-acceptance or Non-payment of such Bills, shall be accounted a Debt of equal Nature with any Specialty, and in Payment of Debts by Executors and Administrators, be prefer'd before any other Debt, which is not under Hand and Seal, such Executor or Administrator having timely Notice of such Protested Bills of Exchange; Any Usage or Custom to the contrary notwithstanding.

PROVIDED nevertheless, That in case any Bill of Exchange, to be drawn after the End of this present Session of Assembly, shall be returned into this Province protested within Eighteen Months from the Date of such Bill, there shall