

Province, and the Authority of the same, That the Judge or Commissary General for Probate of Wills, and granting Administrations, shall hold his Court once in Two Months at the least, or oftner, as the Case shall require, and therein shall proceed according to the Laws of England now in Force, or to be hereafter in Force, within Twelve Months after such Laws shall be published in the Kingdom of Great-Britain, if pleaded before him; saving in such Cases as by this present Act is provided: And that it shall and may be lawful for the Judge for Probate of Wills, to take the Probate, or cause to be proved, any last Will or Testament within this Province, altho' the same concerns Titles of Land; any Law, Statute, Usage or Custom to the contrary notwithstanding.

Courts to be held for Testamentary Affairs every two Months, And to proceed according to the Laws of England, &c. Where this Act is Silent. The Judges Authority in Probate of Wills.

And to the End that all Filial Portions may be secured to the Children of all Persons dying intestate, and Legacies paid to Legatees of Persons making Wills or Testaments,

Be it likewise Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, First, That the Judge for Probate of Wills, and granting Administrations, shall call all Executors and Administrators to exhibit Inventories within Three Months, and render Account within Twelve Months next after Administration committed, of the Personal Estates of such deceased Persons; and if any Administrator shall fail to exhibit such Inventory, or give an Account within the Time aforesaid, being lawfully thereunto cited, that then the said Judge, if he see just Cause, may issue forth Process of Attachment against such Administrator, to oblige him, her or them, as well to exhibit an Inventory, or render Account as aforesaid, as to answer for his or their Contempt of such former Process, after the usual Manner: And in case such Administrator shall not render such Account, or exhibit such Inventory, until Two several Attachments shall be returned to Two separate Courts, against such Administrators, either that the Administrators hath been attached, or is not found in the County where they live, it shall and may be lawful for the said Judge to revoke the first Letters of Administration to such Administrator committed, and shall grant Administration, *de bonis non Administratis*, to such as shall have the next Right to such Administration; which said Administrator shall be duly qualified as usual, and give Security as all other Administrators do, and shall sue and implead the former Administrator before the Judge aforesaid, for the exhibiting an Inventory and rendering an Account of the Estate of the Intestate; or if he shall see fit, shall make Application to such Judge or Commissary-General for the Assignment of the Bond entred into by the former Administrator, and his Sureties, and shall or may put the same Bond in Suit against such Administrator and his Sureties (if Need be,) to be relieved thereon, for any Neglect or Male-Administration by such former Administrator, done or suffered of such deceased Persons Estates.

In calling Executors and Administrators to Account,

And citing or attaching them to Account, and for Contempt and on failure after two Attachments, Administration may be revoked.

And Letters de bonis non Granted,

And the first Administrator sued,

Or his Bond Assigned.

After full Account, Distribution to be made.

And how

And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That when a full Account is made by any Administrator, of any Intestates Estate, the Judge aforesaid shall make, or cause to be made Distribution of the Surplusage of such Estate, in Manner and Form following, (That is to say,) One third Part of the said Surplusage to the Wife of the Intestate, and all the Residue by equal Portions, to and amongst the Children of such Persons dying Intestate, and such Persons as legally represent such Children, in case any of the said Children be then dead, other than such Child or Children (not