

13thly. EVERY Person appealing from the Sentence of the Commissary General, shall within Fifteen Days at farthest after such Sentence, enter his Appeal before the Governor, and within Fifteen Days more, Petition the Governor to examine the Sentence, or appoint such Person or Persons as he shall think fit to hear and determine the same; whose Sentence shall be final, without other Appeal, Repeal or Review: Provided nevertheless, that in case the Person against whom such Sentence shall pass, shall comply with the same, then it shall and may be lawful for the Governor or such Court of Delegates to grant an Appeal therefrom.

THE Commissary-General or other Person or Persons appointed Judge or Judges in Testamentary Cases, shall from time to time and at all times, constitute, ordain and appoint some able and sufficient Person of good repute and a Freeholder, in every respective County within the Province, to take the Probate of any last Will and Testament of any Person, either *Noncupative* or in Writing, even tho' the same be concerning Titles of Lands, and likewise to grant Administration of the Goods and Chatels of Persons dying intestate, in the respective Counties where they reside, which Person so appointed, shall and may take the Probate of any Will, and grant Letters Testamentary or Administration; but if any Dispute shall arise concerning the Right of Administration or Executorship, the same shall be decided by the Commissary-General. The Commissary Depute shall be allowed of Fee, for granting such Letters of Administration, swearing the Administrators and 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 for Limitation of Officers Fees. But if the Estate be so small as not to extend to *Ten Pound* in Money, there shall be allowed the Commissary Depute the Sum of *Fifty Pounds* of Tobacco and no more, and in every such Case the Commissary-General shall have no Fee:

ALL Guardians of Orphans who shall have any real Estates in Land, with the Orphan or Orphans to whom the same belong, committed to them (other then such whom the Testator in his life time hath otherwise ordered and disposed of,) shall within One Month after taking on them the Guardianship, with one Commissioner of the County, where the Lands ly, and two other Persons of good repute, and well skilled in Building and Plantation Affairs, neither of them being of kin, indebted or otherwise interested in Orphan or Guardian, (such two Persons being to be nominated by such Commissioner,) enter into the Land or Plantation of such Orphan, and view the Dwelling Houses, Outhouses, Lands, Orchards and Fences, and then and there, the said two Persons shall take their Corporal Oaths on the Holy Evangelists, by the said Commissioner to be administered, that according to their best 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, as well to raise the yearly Rent so valued, as towards his yearly Charge in keeping the said Dwelling Houses,