

ry, or by any county court, pursuant to the act to direct descents, have died, or shall die before having completely executed the commission directed to them, or any order made in connection therewith, it shall and may be lawful for the chancellor, or such county court, by whom such commission shall have been awarded, on the application by petition in writing, of any heir, representative, purchaser, or other party interested, to appoint other discreet and sensible men for the purpose of proceeding in the execution and completion of the commission originally issued, or of any order made in pursuance thereof, and every such petition shall set forth the substance of the first application, the issuings of the commission, the progress which the commissioners shall have made towards the execution thereof, and their decease, that the chancellor, or court may be better enabled to understand what remains to be completed; and thereupon, the said chancellor, or court, being first satisfied of the truth of what the petition shall alledge, shall be, and they are hereby authorised and empowered, to nominate and appoint two, three or more commissioners, according to the progress made by the deceased commissioners, for the purpose of completing the execution of the said commission, or of any order relating to the same.

2. AND BE IT ENACTED, That the register in chancery, or the clerk of the county court, as the case may be, shall thereupon issue a warrant in the nature of a commission, directed to the persons so appointed commissioners, reciting in substance the facts set forth in said petition, and authorising and requiring the said commissioners or the major part of them, if more than two, forthwith to proceed in the execution and completion of the original commission, according to the provisions of the act to direct descents, and of its several supplements, and directing them to return the said warrant, together with a certificate of their proceedings annexed to the same, with all convenient speed; and the said commissioners, upon receiving notice of the said warrant, shall repair before a justice of the peace, in and for the county, wherein they shall respectively reside, and severally make oath or affirmation, that they will well and faithfully perform the duties required of them by the said warrant, and proceed in the execution and completion of the original commission therein mentioned, agreeably to the directions and provisions of the act to direct descents, and of its several supplements, without favour, partiality or prejudice, and according to the

1812.  
 before execut-  
 ing their trust  
 what proceed-  
 ings shall be  
 lawful.

Warrant shall  
 be issued to  
 new commissi-  
 oners.