

the greatest Creditor of the deceased Claiming the same and in defect of such then to such person as the Judge shall think fittest and where no well is proved the administration of the Intestates Goods shall be committed to such Party living within the Province and willing and able to undertake it as hath nearest right by the Law of the Province to succeed to the goods and in defect of such then to the greatest Creditor claiming the same and in defect of such then to such Person as the Judge shall think fittest all Causes of Complaint against the Judge in Testamentary Causes and all Probates accounts or other matters testamentary wherein he is interested as a Person shall be heard and determined by the Judge of the Provincial Court according to the Law or Usage of the Province or former Presidents of the same or the like nature to be determined by the Judge and in defect of such then according to his Sound discretion

Executors and Administrators not being willing or able to undertake the payment of all debts and Legacies of the deceased within this Province shall be Charged by Oath and Recognizance to sell the goods of the deceased which shall come to their hands at an Auction published 5 days before whereof one to be a Sunday or holy day in the County or hundred where such Goods are to be set to Sale provided that no Goods be sold at such Auction but to such Persons as shall be accepted by Creditors or Legatees of the deceased then & there present if any be or the Major part of them & what is not so sold shall be appraised by the