

(74)
Lib^o C

Temporall jurisdictions to Testamentary causes
appearing And shall doe or cause to be done
right to all persons in all such causes according to
the law of the province & in defect thereof accord-
ing to the Law or lawdable usage of England in the
same or like cases & where the same is uncertain
or doubtfull then according to equity & good
conscience. And be it further enacted that the
Lieuten^t Generall where no party having right
to the Succession of goods of any deceased intestate
claimeth the administration of the same) Shall have
power himself to administer all estates intestate
And that all persons administering shall within
a time to be appointed by the Councell if the Lieuten^t
Generall ^{and if of 6 or 8 years and if of less than 6 years by the Lieutenant Governor} with advice of the Councell make sale
of the whole Estate administered at an outcry
(except the chattels of the deceased where the debts
of the deceased doe not require it hoggs excluded
from this exception) and shall at the next Court
of S^t Maries after the ^{said} outcry deliver in the ac-
compt of the severall debts debtors and other
parcells of the estate to the Register of the said
Court by him to be recorded.

Provided never the less that if any person
to whom by reason of his right to the Succession
of the goods of the intestate the administration
shall be granted or shall be executor by will of
the deceased proved shall put in sufficient secur-
ity to the Lieuten^t Generall for the payment of
all debts & legacies of the deceased that then they
shall not be obliged to make sale of any of the
goods of the deceased at an outcry but shall
appraise as afores^d. the Estate & give account of
the Estate to the Lieuten^t Generall upon oath
as in England Executors ought to do Likewise
if any Legatee shall put in Security to the Court to
pay the value of the legacy or such part of it as the
Debts