

may be deemed necessary to order three good and sufficient Freeholders, to survey and examine said real estate, and report whether the same can be divided without injury to the whole : and only such part as may be sufficient, sold for the payment of the debts or legacies ; and if it should appear from such report, that said Estate cannot be divided without diminishing the value thereof, then it may be lawful for the Lieutenant-Governor, by and with the consent aforesaid, to order the Executors or Administrators of such Estate to Mortgage or lease for years, or otherwise pledge the same, so as to raise money for payment of debts or legacies due from the same, either in the whole or by instalments, as may appear to be most for the interest of all concerned ; and also such deeds or writings as may be requisite for effecting the same, where duly executed by the executors or Administrators shall be good and valid in law.

Lawful to mortgage to pay claims

II. And Be it further enacted, That previous to any order being made for sale, mortgaging or leasing of the real Estate of any person dying insolvent, the Executors or Administrators shall give bond with two sureties, in a sum not less than the value of said real estate so to be sold, mortgaged, leased, or otherwise pledged, to the Judge of the Court of Probates in the County or District where such real estate shall lie for the just and legal distribution of the monies arising from such sale mortgage or lease, and for securing and paying to the Widow and Heirs of the deceased, any sum or sums of money which may remain after payment of all reasonable expences incurred by said sale, mortgage, lease or otherwise.

Executors or Administrators to give Bonds.

III. And be it further enacted, That this Act shall continue and be in force for two years, and from thence to the end of the then next Session of the General Assembly.

Continued two years.

CAP. XLIII.

An Act to authorise an additional Issue of Treasury Notes

WHEREAS, under an Act of the General Assembly of this Province passed in the ninth year of His present Majesty's Reign, entitled An Act for issuing Treasury Notes, and cancelling those now in circulation : the Lieutenant-Governor for the time being is authorised to appoint three Commissioners to issue Treasury Notes to an amount not exceeding Forty Thousand Pounds, and for other purposes in the said Act mentioned. *And whereas*, It has become necessary to make a further issue of Treasury Notes.

Preamble

I. Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Commissioners appointed or to be appointed under the said Act, to issue Treasury Notes to an amount not exceeding Fifteen Thousand Pounds, so that the whole amount of Treasury Notes at any one time in circulation under the said Act, and the present Act, shall not exceed in the whole Fifty-five Thousand Pounds.

Notes for 15,000l to be issued

II. And be it further enacted, That of the Notes hereby authorised to be issued the sum of One Thousand Pounds shall be in Notes of Ten Shillings each, and the sum of Fourteen Thousand Pounds shall be in Notes of Twenty Shillings each ; and all the said Notes shall be made, indented, signed, countersigned, dated and delivered, and be in such form, figures and words, as in and by the said Act, is directed in respect to the Notes to be issued under the same.

1000l. at 10s.
14,000 20s.

III. And be it further enacted, That the Treasurer of the Province shall be accountable for the Notes delivered to him under this Act, and the same notes shall be redeemable, and be paid or cancelled in such and the like manner as by the said Act is directed, with respect to the Notes to be issued under the same ; and all the clauses, sections, provisions, penalties and forfeitures in the said Act contained, shall extend to all Notes to be issued under the authority of this present Act.

Treasurer made accountable