

obtain probate of wills, and letters of administration within their several districts, Be it enacted by the authority aforesaid, That it shall and may be lawful for the governor, lieutenant governor or person administering the government in this province, to institute, and he is hereby authorized to institute by commission under the great seal of this province, in each district thereof, a court for the purpose of granting probate of wills, and letters of administration of the goods of persons dying intestate, having personal estate within the limits of each district respectively, which courts shall be severally called and known by the names of the surrogate court of the Eastern district, the surrogate court of the Midland district, the surrogate court of the Home district, and the surrogate court of the Western district, and also to appoint from time to time, a surrogate to preside as judge in each of the said courts, to hear, give order, or decree, or pronounce judgment in all questions, causes or suits, that may be brought before him, relative to the said matters, and also from time to time, to nominate and appoint a fit and proper person to be register, and also such officers as may be necessary for the exercise of the jurisdiction to the said courts belonging, and that each and every of the said courts shall have full power and authority to issue process and hold cognizance of all matters relative to the granting of the probate of wills and letters of administration, and to grant probate of wills, and to commit letters of administration of all and singular the goods and effects, rights and credits of persons dying intestate, within the limits of their respective districts, except in the cases herein after mentioned. Provided always, That in all cases where a testator or intestate shall die possessed of goods, chattels or credits to the amount of five pounds in any district, other than that in which he usually resided at the time of his decease, or when any testator or intestate shall die possessed of goods to the value of five pounds, in two or more several districts within this province, the probate of such will and letters of administration of the goods and effects of such person shall be granted by the court of probate only, and not by any surrogate court.

Institution of a surrogate court in each district.

III. And in order to give due authenticity to the acts and proceedings of the said several courts, Be it enacted by the authority aforesaid, That each of the said courts be provided with a suitable seal; that on the seal of the court of probate be inscribed the name of the province, and on the several seals of the surrogate courts the name of the district, over which its jurisdiction extends, and that a particular description of such seals be respectively sent to the office of the secretary of the province to be kept among the records of the province. Provided always, That no person shall be entitled or qualified to enter upon or execute the office of surrogate in any of the courts so to be established, until after he shall have taken the following oath:

when testator or intestate dies possessed of chattels or credits in different districts probate of the will and letters of administration shall be granted by the court of probate only.

Seal of each of the said courts

a description whereof to be sent to the secretary's office

" I A. B. do solemnly promise and swear, that I will honestly and impartially execute the office of

" of according to the best of my knowledge and ability.

" So HELP ME GOD."

Oath of the surrogate.

And that no person shall be entitled to act as a register in any of the said courts until after he shall have taken the following oath:

" I A. B. do promise and swear, that I will diligently and faithfully execute the office of

" that I will not knowingly permit or suffer any alteration, obliteration or destruction to be made or

" done by myself or others, on any wills or testamentary papers committed to my charge.

Oath of the register.

" So HELP ME GOD."

IV. And be it enacted by the authority aforesaid, That every will or testamentary paper, which shall be duly proved, approved and insinuated in the court of probate, or in any surrogate court within this province, shall be kept and preserved among the records of the said court, and that a transcript thereof duly authenticated under the seal of the said court, shall be taken and received as the regular probate of such will or testamentary paper, so far as the same may regard

Every will or testamentary paper to be kept as recorded in court and the transcript thereof duly