

it shall be lawful for such court to authorize and empower the executor or executors, administrator or administrators, of such deceased person, to collect sell and dispose of all the estates and effects of such deceased person, and to distribute the produce thereof rateably amongst his or her creditors, according to the manner of distribution by this Act directed, in respect of the estates of persons declared insolvent, and always subject to the orders and directions of such court: Provided always, That nothing herein contained shall be construed to affect the right of any creditor having a judgment or special security for his or her debts.

Chief Justice
to settle
forms of
Process, and
appoint fees
for Supreme
and other
Courts.

And be it further Enacted, That it shall be lawful for the said Chief Justice to settle such forms of process and such rules of practice and proceeding, for the conduct of all pleas suits and complaints, and for the dispatch of the business of the said Supreme and District Courts, and of the business in the Courts of Sessions, or before any one or more Justices of the peace respectively, and to appoint such reasonable fees to be taken for the conduct and dispatch of pleas, suits, complaints and other business as aforesaid, and for granting administration of the effects of intestates, and for the probate of wills, as shall seem necessary and proper for expediting such pleas, suits, complaints and other business, with the most convenience and least expense to the parties concerned therein; and such process and rules of practice and proceeding shall be followed and obeyed, and such fees shall be paid accordingly, and no other; and all fees received in the said Supreme and District Courts, and Courts of Sessions, shall be paid and accounted for by the Judges or Justices of such courts respectively, annually, to the Governor of *Newfoundland*, for the time being, and shall go and be applied to the public uses of the said colony; and it shall be lawful for the said Chief Justice, and he is hereby required to settle and limit what fees and poundage shall be taken by the Sheriff of *Newfoundland*, and such fees and poundage shall be taken and no other; provided that no such fees for the dispatch of pleas suits and complaints or other business as aforesaid, or for granting administration or probate of wills, and no fees or poundage to the Sheriff, shall be taken until the rate and table of every fee or poundage so to be taken, shall be approved by the Governor of the said Island of *Newfoundland*, and such approbation signified under his hand and seal.

Regulations
as to opening
the Courts
instituted
under this
Act, and
removal of
Records, &c.

And be it further Enacted, That the Governor, or acting Governor of *Newfoundland*, upon the arrival in the said colony, of His Majesty's charter or letters patent, for the establishment of the said courts, by virtue of this Act, shall by proclamation, notify to the Inhabitants of the said colony, the time when the said courts respectively shall be intended to be opened; and as soon as the Judges thereof respectively shall have assumed and entered upon the exercise of their respective jurisdiction therein, then and from thenceforth, so much of the Act passed in the forty-ninth year of the reign of his said late Majesty *George* the Third, intituled, "An Act for establishing of Courts of Judicature in the Island