

be thereto annexed; and every inventory shall be returned to the proper office within three calendar months from the date of the letters, or within such time from the date of the warrant, in case a second warrant shall have issued, as the case may require, unless further time, on application of the party, shall be granted by the court; and it shall be the duty of any executor, administrator or collector, taking out the warrant, to return the inventory or inventories which shall be delivered to him by the appraisers; and on failure by the executor, administrator or collector, attachment may issue to enforce the return; and on the attachment the court shall have power to fine the party not exceeding thirty dollars.

7. If there be any of the persons interested in the administration within three miles of the place where the personal estate is to be appraised, it shall be the duty of the executor, administrator or collector, and of the appraisers, to give notice to the said persons, or to at least two of them, of the time and place appointed for making the appraisement.

8. Every executor, executrix, administrator or administratrix, shall return likewise within the time, and under the pain aforesaid, with an affidavit of the truth annexed, an inventory of the money belonging to the deceased which hath come to his or her hands, and of the debts due to the deceased which have come to his or her knowledge, specifying the nature of each debt, and setting down such as he or she shall deem sperate, distinct and separate from those which he or she shall deem desperate or doubtful.

9. Every collector likewise shall return, within the time, (unless superseded) and under the form aforesaid, with an affidavit of the truth annexed, an inventory of the money of the deceased, which he or she hath collected, belonging to the deceased, or received in discharge of debts due to the deceased.

10. Whenever personal property of any kind, or assets not mentioned in an inventory already made out, shall come to the possession or knowledge of an executor, executrix, administrator or administratrix, or collector, an account or inventory of the same shall be returned, appraised by two respectable disinterested sworn appraisers, appointed by any justice of the peace, or judge of any orphans court, within two calendar months from the time of the discovery.

11. In case an inventory be returned by a collector, duly appointed, the executor, executrix or executors, or administrator, administratrix or administrators, thereafter administering, shall, within three calendar months after the date of his, her or their letters, either return a new inventory, in place of the collector's inventory, or any acknowledgment in writing, that he, she or they, have received from the collector the articles contained in the first inventory, or consent to be answerable for the same, in the same manner as if the said inventory had been made out after his, her or their administering upon the estate; provided that nothing herein contained shall be construed to render any executor, executrix or executors, administrator, administratrix or administrators, answerable for not making a return of the inventory aforesaid, wherein it shall appear to the court that he, she or they, have been prevented from making such return by the improper detention of the goods of the deceased by the collector aforesaid.

12. The executor or administrator shall either finish the crop on hand at the death of the deceased, or sell the same, as he shall judge the most convenient; and in case he shall not deem it convenient to finish the crop, the person entitled to the land on the death of the testator or intestate, or his or her guardian or next friend for him or her, in case of infancy of the party, may take the said crop at the appraisement of the appraisers as aforesaid, paying ready money, or giving bond, with good security, approved by the orphans court, or the register of wills of the said court, if the said court be not in session at the time of making such sale, for paying the money within six months; and in case the said party, or his or her guardian for him or her, shall not take the crop at an appraisement, the executor or administrator may sell the same to any other person, for ready money, or on credit as aforesaid; provided nevertheless, that he shall not sell it at less than the appraisement, without the approbation of the orphans court granting the administration, or an order, prescribing the terms, by the said court, passed as aforesaid.

13. If an executor or administrator shall not, within three months after the date of his letters, exhibit to the orphans court an inventory as aforesaid, a summons, returnable within not less than eight, or more than thirty days, may, *ex officio*, or on application of a person interested, be issued against such executor or administrator, to shew cause wherefore such inventory hath not been exhibited; and if the summons be duly returned "summoned," or upon two citations returned *non est*, by the sheriff of the county wherein the party resided at the time of obtaining his letters, or of the county wherein the letters were obtained, in case the party doth not reside in the state, and if he doth not appear at the return of the summons, or appearing shall not shew cause satisfactory, the said court may immediately enter on its proceedings, and record, that the said letters be revoked, and may proceed to grant other letters, in the same manner as if such executor had not been named in the will, or as if such administrators were not in existence; and the power of such executor or administrator shall thereupon cease, and he shall be bound to deliver up, on demand, to the person obtaining such letters, all the property of the deceased in his hands, or be liable to be sued by such person on his administration bond, or the court may pass an order for the purpose.

14. If there be more than one executor or administrator named in the letters, any one or more of them, on the neglect of the rest, may return an inventory, and the executor or administrator so neglecting shall not thereafter interfere with the administration, or have any power over the personal estate of the deceased; but the executor or administrator so returning shall thereafter have the whole administration, unless, within two months after the return, the delinquent or delinquents shall assign to the court some reasonable excuse which it shall deem satisfactory.

LEASES for years, estates for the life of another person or persons, except those granted to the deceased and his heirs only, and all goods, wares, merchandise, utensils, furniture, negroes, cattle, stock, provisions, tobacco, and every kind of produce, the crop on the land of the deceased by him or her begun, unless where the lands are divided, things annexed to the freehold or building, which may be removed without prejudice to the building, cloathing, ornaments, and every other species of personal property, (except those things which are denominated heir-looms, and