

establish the same by such proof as is usually required in such cases.

SEC. 7. And in case letters testamentary shall be granted to an executor above eighteen, and under twenty-one years of age, the bond by him executed for faithful performance shall be binding as if he were of full age.

SEC. 8. No married woman shall be entitled to letters testamentary, but the same, or letters of administration, shall be granted, in the same manner as if she had not been named in the will, unless her husband shall, with two sureties, give bond as aforesaid, to be recorded and sued as aforesaid, for her faithful performance; and the bond of any executrix, who is unmarried, and above eighteen, given as aforesaid, shall be binding in the same manner as if she were of the full age of twenty-one years.

#### CHAPTER 5.

To whom,  
and under  
what cir-  
cumstances  
letters of  
administra-  
tion may be  
granted.

SEC. 1. No letters of administration shall be granted to a person infamous as aforesaid, or to an idiot, lunatic or person non compos mentis, or to a person who is not a citizen of the United States, or under eighteen years of age; and any question respecting infamy, soundness of mind, citizenship or age, may be heard and established as if the same respected a person named as an executor.

SEC. 2. Whenever any person hath died intestate, leaving in this state goods, chattels, or personal estate, letters of administration may forthwith be granted by the orphans court of the county wherein was the party's mansion house or residence; or in case he or she had no mansion or residence within the state, letters shall be granted in the county where the party died; and in case the party neither had mansion or residence, nor died within the state, letters may be granted in the county wherein lies, or is supposed to lie, a considerable part of the party's personal estate.

SEC. 3. It shall be incumbent on any person applying for such letters, to prove such dying intestate to the satisfaction of the court, unless the same be notorious; and the court may examine such person, on oath or affirmation, touching the time, place, and manner of the death, and whether or not the party dying left any will; and if such dying intestate be not proved to the satisfaction of the court, no letters of administration shall be granted; no such letters shall be granted until at least twenty days after the death of the supposed intestate, and at least seven days after application for the same.

SEC. 4. If such letters shall be granted, and a will for the disposing of the personal estate of the deceased shall afterwards be proved according to law, and an executor or executrix, or