

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

to be put in suit by the executors, or the executors may obtain an order for the purpose.

SEC. 6. In case any executor, executrix, administrator or administratrix, shall die before the estate shall be fully administered, letters of administration de bonis non shall be granted to the person entitled agreeably to the rules herein before laid down, and the proceedings shall in all respects be the same as if administration had been originally granted; and in no case shall the executor of an executor be entitled, as executor, to administration de bonis non of the first deceased; and the letters, bond and oath, of an administrator de bonis non shall be in the form herein before directed, except that the words 'not already administered,' shall be added in the proper places.

SEC. 7. The qualification of an administrator or administratrix shall, in all respects, be the same as those of an executor; and the proceedings, to exclude such as prima facie appear entitled to the administration of the estate of an intestate, shall in all respects be the same as herein before directed for excluding any person named in a will as executor or executrix, provided that it shall not be necessary so to proceed, in case the party be out of the state, or in case of administration to be granted to any, except relations, or to collateral relations, more remote than brothers or sisters of the intestate; and no relations, except a widow, child, grand-child, father, brother, sister or mother, shall be considered as entitled, unless he or she shall apply for the same.

SEC. 8. If the intestate be a married woman, it shall not as heretofore be necessary for her husband to take out letters of administration, but all her choses in action shall devolve upon her husband, in the same manner as if he had taken out such letters; provided, that if he shall not, in his life-time, reduce the said choses in action into possession, or obtain judgment thereon, the said choses in action shall devolve on her representative, and administration may be granted accordingly.

SEC. 9. And hereafter a husband, bringing a personal action to recover in right of his wife, either before or after her death, may declare specially, setting forth, in the usual manner, how the debt or right accrued to his wife, and stating further, that by marriage the debt or right hath on him devolved.

SEC. 10. If the intestate leave a widow, and a child or children, administration, at discretion of the court, shall be granted either to the widow or child, or one of the children.

SEC. 11. If there be a widow, and no child, the widow shall be preferred, and next to the widow or children, a grand-child shall be preferred.

SEC. 12. If there be neither widow, nor child, nor grand-child, the father shall be preferred.