

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.

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.

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.

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.

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

13. If there be neither widow, nor child, nor grand-child, nor father, brothers and sisters shall be preferred, and next to brothers and sisters, the mother shall be preferred.

14. If there be neither widow, nor child, nor grand-child, nor father, nor brother, nor sister, nor mother, the next of kin shall be preferred.

15. Males shall be preferred to females in equal degree of kin.

16. Relations of the whole blood shall be preferred to those of the half blood in equal degree, and relations of the half blood shall be preferred to relations of the whole blood in a remoter degree.

17. Relations descending shall be preferred to relations ascending in the collateral line; that is to say, (for example,) a nephew shall be preferred to an uncle.

18. None shall be preferred in the ascending line beyond a father or mother, or in the descending line below a grand-child.

19. A female sole shall be preferred to a married woman in equal degree.

20. Where a female is entitled, administration may be granted to her and her husband, provided he be capable.

21. Relations on the side of the father shall be preferred to relations on the side of the mother in equal degree.

22. If there be no relations, administration shall be granted to the largest creditor applying for the same.

23. If there shall be neither husband nor wife, nor child nor grand-child, nor father nor brother, nor sister nor mother, or if these be incapable or decline, or refuse to appear on proper summons or notice, or if other relations and creditors shall neglect to apply, administration may be granted, at discretion of the court.

24. If however letters of administration are to be granted, with a copy of the will annexed, and there be a residuary legatee or legatees in such will, he, she or they, shall be preferred to all, except a widow, and it shall be incumbent on the court to proceed, in the manner herein before directed, with respect to executors within the state, before administration shall be granted to any other person; and a male residuary legatee shall be preferred to a female.

25. Administration may be granted to two or more persons, with the consent of the person first entitled, provided that administration, in all cases, shall extend to all the personal property of the deceased within the state, in order that the affairs of deceased persons be as little complicated as may be, and that persons interested therein may the more easily and readily obtain justice.

C H A P. 6.

Rules concern-
ing inventories.

1. IN every case wherein letters testamentary, or of administration, or of collection, are granted, in order that all persons interested in the personal estate may have an opportunity of knowing, as nearly as may be, the amount of the same, an inventory, in case the estate lies in one county, or can conveniently be collected together, or inventories, in case the property lies in more than one county, or cannot conveniently be collected together, shall be returned to the office granting the administration.

2. And on granting any letters testamentary, or of administration, or of collection, a warrant or warrants shall issue, under the seal of office, authorizing two persons of discretion, not related to the deceased, nor interested in the administration, to appraise the goods, chattels and personal estate, of the deceased, known to them, or to be shewn by the executor, administrator or collector. Form of the warrant. "The State of Maryland, To ——— and ———, greeting. This is to authorize you jointly to appraise the goods, chattels and personal estate, of ———, late of ———, deceased, so far as they shall come to your sight and knowledge, each of you having first taken the oath, or affirmation, hereto annexed, a certificate whereof you are to return, annexed to an inventory of the said goods, chattels and personal estate, by you appraised in dollars and cents; and in the said inventory you are to set down, in a column or columns opposite to each article, the value thereof. Witness C. D. chief justice (or judge) of the orphans court in ——— county. Test. E. F. Register, &c."

3. And on the death, refusal or neglect to act, of any appraiser, another warrant may forthwith issue in its stead.

4. The appraisers, before they proceed to act, shall take the following oath, or affirmation, as the case may be, annexed to, or endorsed on, the warrant, before any person authorized to administer an oath: "I, A. B. do swear, or solemnly, sincerely and truly affirm, that I will well and truly, without partiality or prejudice, value and appraise the goods, chattels and personal estate, of ———, deceased, so far as the same shall come to my sight and knowledge, and will, in all respects, perform my duty as appraiser, to the best of my skill and judgment; So help me God."

5. The appraisers shall proceed as conveniently as may be to the discharge of their duty, and shall set down each article, with the value thereof, in dollars and cents; all the valuations on one side of the paper shall be set down in one column, distinctly, in figures, opposite to their respective articles; the contents of each column shall be cast up and set down, and likewise the contents of the whole shall be cast up, and set down under the last column.

6. When the inventory shall be finished, the appraisers shall certify the same, under their hands and seals, and a certificate of their having taken the oath or affirmation as aforesaid, shall be