

TESTAMENTARY SYSTEM.

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, and the elder shall be preferred to the younger.

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. VII.

Rules concerning inventories.

1. **I**N 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, authorising 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 authorise 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 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 tenths of dollars; 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, annexed to, or endorsed on, the warrant, before any person authorised to administer