

or that the Widow refuse it then to the eldest Son or otherwise the eldest Daughter of the deceased if there be any capable of that charge living within the Province and if there be none or that such eldest Child Refuse it then to the eldest Brother or Sister of the deceased intestate capable thereof living within the Province and if there be none or that such Brother or Sister refuse it then to the nearest of kin capable thereof living within the Province and if there be none or that such nearest of kin refuse it then to the greatest Creditor of the deceased claiming or accepting thereof -

Provided that if the Party to whom the Administration is due by virtue of this Act be in these parts at the time of the decease of such intestate and absent from Saint Marys such party to whom the administration is due shall be expected for two months to claim and take the administration and in the mean time the said Secretary or his deputy shall take such Order for saving and preserving of the deceaseds Goods as to him shall seem most expedient

And further provided that were any one having right to the Administration as aforesaid shall not undertake well and truly to satisfy all the due debts of the deceased to all Creditors living within the Province then no appraisement shall be made of any Goods of the deceased neither shall any payment be made of any debts without the said Goods but the Goods of the deceased shall be sold at an