

bate shall grant Administration to such Person or Persons as he shall, or may Judge fit—Creditors being always considered as having a preferable Right to Persons in no Wise interested in the Affairs of the Deceased: And to whomsoever the said Judge shall grant Administration, according to the Regulations and Directions contained in this Act, he shall oblige him, her, or them to give Bond, with sufficient Sureties, in the manner as is directed by the Statute of the Twenty-second and Twenty-third Years of the Reign of *Charles the Second*, Chapter the Tenth, intituled, *An Act for the better settling Intestates' Estates*, and shall and may proceed to call such Administrators to account for and touching the Goods of the Intestates: And upon due Hearing and Consideration thereof (all just Debts and Funeral Expenses being first allowed) the said Judge shall, and he is hereby fully empowered to order and make a just Distribution of the Surplusage, or remaining Goods and Estate, as well Real as Personal, in manner following: that is to say, One third Part of the Personal Estate to belong to and vest in the Wife of the Intestate forever, besides her Dower in the Houses and Lands during Life, where such Wife shall not be otherwise endowed before Marriage. And the said Judge having appointed Guardians in manner as hereafter shall or may be by Law directed, shall then, out of all the Residue of such Real and Personal Estate, distribute two Shares or a double Portion to the eldest Son then surviving (where there is no issue of the first born, or of any other elder Son;) and the Remainder of such Residue equally to and among his other Children, and such as shall or may legally represent them. *Provided* that Children advanced by Settlement or Portions, not equal to the other Shares, shall have so much of the Surplusage as may make the Estate of all to be equal, except the eldest Son then surviving (where there is no Issue of the First born, or of any other elder Son,) who shall have two Shares, or a double Portion of the whole.

and Distribution  
of Estates of In-  
testates.

Proviso.