

1888, art. 93, sec. 39. 1860, art. 93, sec. 39. 1798, ch. 101, sub-ch. 3, secs. 10 and 11.

**38.** Every administrator shall, before administration shall be granted to him, execute a bond to the State of Maryland, with at least two sureties approved by the court or register, and in a penalty prescribed by them or him, with the same condition annexed as herein prescribed for the bond of an executor; and the said bond shall be recorded and be liable to be sued, and be in all respects on the same footing as an executor's bond; and any person conceiving himself interested shall be entitled to a copy of said bond under seal, which copy shall be evidence.

*State v Jordan*, 3 H. & McH. 179. *Hecking v. Howard*, 3 H. & McH. 203. *Morgan v. Slade*, 2 H. & J. 38. *Wilson's Exrs v. Slade*, 2 H. & J. 281. *Mann v. State*, 3 H. & J. 237. *Hamilton v. State*, 3 H. & J. 503. *Maddox v. State*, 4 H & J. 539. *Seegar v. State*, 6 H & J. 162. *Craufurd v. State*, 6 H. & J. 231. *Scoffield v. Craddock*, 7 H. & J 40. *State v. Blackistone*, 2 H & G 139. *Waters v. Riley*, 2 H. & G. 305. *State v Hanson*, 2 H. & G. 437. *Watkins' Admr. v. State*, 2 G. & J. 220. *Sibley v Williams*, 3 G & J. 52. *State v. Hammond's Exrs.*, 6 G & J. 157. *Clarke v. State*, 6 G. & J. 288. *Griffith v. Frederick Co. Bank*, 6 G & J. 424. *Coward v. Worrell*, 7 G. & J. 475. *Alexander v. Stewart*, 8 G. & J. 226. *Mayhew v. Soper*, 10 G. & J. 366. *State v. Gaither*, 11 G & J. 160. *Burgess v. State*, 12 G & J. 65. *Hannon v. State*, 2 Gill, 42. *Brown v. Murdock*, 16 Md 521.

*Ibid.* sec. 40. 1860, art. 93, sec. 40. 1798, ch. 101, sub-ch. 3, sec 12.

**39.** Every administrator shall take the oath herein prescribed for an executor before administration shall be granted to him.

*Georgetown College v. Brown*, 34 Md. 450.

#### Administration by an Executor.

*Ibid.* sec. 41. 1860, art. 93, sec. 41. 1798, ch. 101, sub-ch. 3, sec. 1. 1882, ch. 365.

**40.** When any will or codicil shall have been authenticated or proved as herein directed before the register of wills or orphans' court, letters testamentary may forthwith be committed to the executor or executors named in said will or codicil; provided, the said executor or each of the executors shall execute a bond to the State of Maryland, with two good sureties approved by the said register or orphans' court, as the case may require, and in such penalty as the said register of court may require, conditioned for the faithful performance or the trust reposed in him as executor, to be lodged and recorded in said register's office, and subject to be put in suit as herein-