

to such stock be given to the proper officer having charge of the stock book wherein such stock is entered, and having authority to make or allow a transfer thereof before any sale or transfer thereof has actually been made by the foreign executor or administrator; and provided further, that administration shall not be granted to any one in this State, except the next of kin, residuary legatee, or a creditor who shall make oath to and exhibit the vouchers of his claim before obtaining administration.

The proviso clause at the end of this section means that letters should be granted to those who by the existing law were entitled, it not being intended to take away from the orphans' court their discretion under section 31. *Dalrymple v. Gamble*, 66 Md. 309.

1904, art. 93, sec. 78. 1888, art. 93, sec. 79. 1860, art. 93, sec. 79. 1839, ch. 41, sec. 3. 1849, ch. 447, sec. 3. 1874, ch. 483, sec. 105.

**79.** No such foreign executor or administrator shall be authorized to transfer any such stock until after he shall have given at least one month's notice by advertisement published twice a week for four weeks in two daily newspapers of the city of Baltimore, stating therein the death of his testator or intestate, and the amount and description of stock intended to be transferred.

As to the uniform stock transfer act, see art. 23, sec. 38, *et seq.*

*Ibid.* sec. 79. 1888, art. 93, sec. 80. 1860, art. 93, sec. 80. 1844, ch. 184, 1845, ch. 391. 1847, ch. 230. 1849, ch. 447, sec. 4. 1874, ch. 483, sec. 106.

**80.** The provisions of this code imposing a tax on commissions of domestic executors and administrators shall extend to such foreign executors or administrators; and the orphans' court of the county or city in which the stock transferred is situated shall fix the commissions of such foreign executor or administrator, who shall thereupon pay the tax thereon to the register of such county or city.

See art. 81, sec. 115, *et seq.*

### Conveyance of Real Estate.

*Ibid.* sec. 80. 1888, art. 93, sec. 81. 1860, art. 93, sec. 81. 1846, ch. 279, sec. 1. 1872, ch. 451.

**81.** The executor or administrator, including the administrator *de bonis non*, of a person who shall have made sale of real estate, and have died before receiving the purchase money, or conveying the same, may convey said real estate to the purchaser, and his deed shall be good and valid in law, and shall convey all the right, title, claim and interest of such deceased person in such real estate as effectually as the deed of the party so dying would have conveyed the same; provided, the executor or administrator of the person so dying shall satisfy the orphans' court granting him administration that the purchaser has paid the full amount of the purchase money.

In the light of this section and section 104, an executor is entitled to require specific performance of a contract referred to in this section; a