

Where an executor conveys property in accordance with section 81, he need not obtain an order to sell under this section. *Stewart v. Griffith*, 217 U. S. 331.

This section applied. *Crow v. Hubard*, 62 Md. 563.

This section referred to in deciding that a third party (an executor *de son tort*), can not pass title to a decedent's property. *Rockwell v. Young*, 60 Md. 568.

This section construed in connection with sections 287 and 290—see notes thereto. *Brooks v. Bergner*, 83 Md. 354.

This section referred to in construing section 242—see notes thereto. *Carlyle v. Carlyle*, 10 Md. 447.

See sections 174, 285 and 287 and notes.

As to the preference of taxes in the proceeds of sales by ministerial officers, see art. 81, sec. 68.

1904, art. 93, sec. 282. 1888, art. 93, sec. 277. 1860, art. 93, sec. 275.
1843, ch. 304, sec. 2.

285. If any executor or administrator shall sell or remove any property without an order of the orphans' court, the orphans' court may revoke his letters as soon as they are satisfied of such sale or removal having taken place, and appoint an administrator, whose duty it shall be immediately to proceed to get possession of the property so sold or removed; and the orphans' court may authorize the administrator so appointed by them to employ an attorney or attorneys to assist in the recovery of said property and determine the amount of fees to be paid therefor; and any cost or expense incurred in getting possession of said property, ascertained and awarded to be paid by the said court, shall be paid by the person or persons whose letters have been revoked, and may be recovered by an action on his testamentary or administration bond, at the suit of the newly appointed administrator.

Where an executor invests money belonging to the estate in property which he afterwards sells, such sale requires an order of court to make it valid. A mortgage is "property" within the meaning of this section. *Alexander v. Fidelity Co.*, 108 Md. 546.

The act of an executor in transferring stock of the decedent to himself and selling the same without order of court, justifies his removal. When an executor may be removed. *Levering v. Levering*, 64 Md. 411.

Ibid. sec. 283. 1888, art. 93, sec. 278. 1860, art. 93, sec. 276. 1843, ch. 304, sec. 3.

286. Where there are two or more executors or administrators, and the sale or removal has been made without the consent of all, the revocation shall only extend to the person or persons so offending, and the remaining executor or administrator shall have full power and authority to discharge all the duties connected with his office as if no revocation had been made.

See sec. 175.

Ibid. sec. 284. 1888, art. 93, sec. 279. 1860, art. 93, sec. 277.
1843, ch. 304, sec. 4.

287. Nothing contained in the three preceding sections shall be construed to apply to any cases where an executor shall be authorized by will of his testator to make sale of any property, without application to the orphans' court.