

Cited but not construed in *Coombs v. Jordan*, 3 Bl. 318; *Buckingham v. Peddicord*, 2 Bl. 456; *Cunningham v. Browning*, 1 Bl. 319.

Cross references.

See sec. 89.

As to the order in which a decedent's debts are to be paid, see art. 93, sec. 115.

As to funeral expenses, see also art. 93, sec. 5.

As to the concurrent power of the orphans' court to sell real estate up to twenty-five hundred dollars, see art. 93, sec. 293.

See art. 75, sec. 155.

1904, art. 16, sec. 204. 1888, art. 16, sec. 189. 1884, ch. 396.

219. The claims against the persons so dying shall be proven and filed in the clerk's office of the county in which the proceedings are instituted, or where the real estate lies, as now required by law, or in the clerk's office of the circuit court or circuit court No. 2 of Baltimore city; provided, that the certificate of the register of wills of the said county or city to the proof of such claims or distribution thereto in the orphans' court of said county or city, out of the proceeds of the personal property of said deceased debtor, shall be *prima facie* evidence of such claims, and sufficient to entitle them to distribution out of the proceeds of the real estate of said deceased debtor, unless the same be excepted to by some person interested in said estate.

For a case involving how the question of the insufficiency of the personal assets should be raised and determined, the effect of a decree for sale, and how creditors should come into the proceedings, see *Hammond v. Hammond*, 2 Bl. 306. And see *Arthur v. The Attorney-General*, 2 Bl. 245.

As to the proof of claims in the orphans' court, see art. 93, sec. 84, *et seq.*

Ibid. sec. 205. 1888, art. 16, sec. 190. 1860, art. 16, sec. 127. 1838, ch. 303.

220. The court may decree a sale of vessels or other personal property held by two or more persons jointly.

As to the sale of personal property which cannot be partitioned, and for a note on the joint ownership of personal property, see *Crapster v. Griffith*, 2 Bl. 5. And see *Hewitt's Case*, 3 Bl. 184.

As to the partition of lands, etc., see sec. 137.

Ibid. sec. 206. 1888, art. 16, sec. 191. 1860, art. 16, sec. 128. 1847, ch. 150.

221. When there is a decree for the sale of any reversion in lands to which rent is incident, the court may order any rent in arrear to be sold with such estate, and the purchaser shall have the same right to recover such rent by distress, entry or action, as if he had been owner of the estate when the rent accrued.

Ibid. sec. 207. 1888, art. 16, sec. 192. 1860, art. 16, sec. 129. 1835, ch. 380, sec. 1.

222. In all cases where a suit is instituted for the sale of real or personal property, or where from the nature of the case a sale is the proper mode of relief, the court, in its discretion, may order a sale of the property before final decree, if satisfied clearly by proof that, at the final hearing of the case, a sale will be ordered, and order the money arising from such sale to be deposited or invested, to be disposed of as the court shall direct by the final decree.