

Generally.

Where a notice to creditors is given and all claims filed have been settled, no other claims can be presented against real estate in hands of a purchaser in good faith for value without notice. Sec. 114 does not alter law as laid down in *Van Bibber v. Reese*, 71 Md. 608. Purpose of sec. 114; it did not repeal or amend this section. Question whether form of notice provided in sec. 113 sufficiently complies with sec. 114, not passed upon. *Seaman v. Seaman*, 141 Md. 6.

This section referred to in holding that relatives living in Greece of a deceased resident of that country who died in Baltimore were not entitled either to notice before grant of letters of administration in Baltimore to a citizen of this city, or to have such letters revoked; rights of consul general and his representative not superior to those of such relatives. Courts bound by treaties; construction thereof. *Chryssikos v. Demarco*, 134 Md. 536.

Letters of administration are necessary for transmission of title to legatee. *Cecil v. Clarke*, 17 Md. 508; *Smith v. Wilson*, 17 Md. 460; *Cecil v. Rose*, 17 Md. 101.

There need be only *prima facie* evidence that deceased left personal estate; proof to contrary; questions of title. *Grimes v. Talbert*, 14 Md. 172.

Where a will has been probated in another state and letters taken out there, the executors are not authorized to sue in Maryland (except as provided in sec. 77), until they have proven the will here under sec. 364, and taken out ancillary letters. *Wright v. Gilbert*, 51 Md. 152; *Glenn v. Smith*, 2 G. & J. 493; *Ratrie v. Wheeler*, 6 H. & J. 94; *Corrie's Case*, 2 Bl. 498. But see *Citizens' Bank v. Sharp*, 53 Md. 521; *Barton v. Higgins*, 41 Md. 546; *Lucas v. Byrne*, 35 Md. 494.

The court will apply same rules as to time within which an application for a revocation of letters is made, as in an application for grant of letters. *Edwards v. Bruce*, 8 Md. 396; *Burgess v. Boswell*, 139 Md. 680. And see *Clagett v. Hawkins*, 11 Md. 387; *Edelen v. Edelen*, 10 Md. 56. *Cf. Stocksedale v. Conaway*, 14 Md. 107.

This section declares policy of law that there shall be a prompt administration of estates. This section construed to harmonize with sec. 16—see notes thereto. *Williams v. Addison*, 93 Md. 43; *Jones v. Harbaugh*, 93 Md. 273; *Edwards v. Bruce*, 8 Md. 387; *Burgess v. Boswell*, 139 Md. 676; *Dorsey v. Dorsey*, 140 Md. 171.

Cited but not construed in *Stouffer v. Stouffer*, 110 Md. 372.

As to where probate may be granted, see sec. 351.

Re. power of orphans' court to revoke letters, see notes to sec. 243.

As to letters taken out in the District of Columbia, see sec. 77.

As to the collateral inheritance tax, see art. 81, sec. 124, *et seq.*

See also notes to secs. 61 and 351.

An. Code, sec. 15. 1904, sec. 15. 1888, sec. 15. 1798, ch. 101, sub-ch. 5, sec. 25.

15. Administration may be granted to two or more persons, with the consent of the person first entitled; provided, that administration in all cases shall extend to all the personal property of the decedent within the State.

The matter of granting letters to a person jointly with another under this section is within discretion of court and no appeal lies. When a class of persons is first entitled, the one selected by the court as administrator is the person "first entitled" under this section. *Kailer v. Kailer*, 92 Md. 149. And see *Covey v. Charles*, 49 Md. 315; *Dorsey v. Dorsey*, 140 Md. 171.

The right of administration being a valuable one cannot be delegated. *Slay v. Beck*, 107 Md. 361; *Brodie v. Mitchell*, 85 Md. 519.

Cited but not construed in *Georgetown College v. Browne*, 34 Md. 455.

An. Code, sec. 16. 1888, sec. 16. 1798, ch. 101, sub-ch. 5, sec. 3.

16. It shall be incumbent on the person applying for administration to prove such dying intestate to the satisfaction of the court, unless the same be notorious; and the court may examine such person on oath, touching the time, place and manner of the death, and whether or not the party dying left any will; and if such dying intestate be not proved to the satisfaction of the court, no administration shall be granted. No such