

An. Code, sec. 99. 1904, sec. 98. 1888, sec. 99. 1798, ch. 101, sub-ch. 9, sec. 13.

101. No administrator shall be obliged to discharge any claim of which vouchers and proofs shall be exhibited as aforesaid, but may reject and at law dispute the same, in case he shall have reason to believe that the deceased never owed the debt or had discharged the same or a part thereof or had a claim in bar.

Where an executor pays a claim in part, an administrator *d. b. n.* subsequently appointed may dispute balance of claim. *Pole v. Simmons*, 49 Md. 19.

This section referred to in construing sec. 109—see notes thereto. *Coburn v. Harris*, 53 Md. 372.

Cited but not construed in *Flater v. Weaver*, 108 Md. 672.

See notes to secs. 102 and 121.

An. Code, sec. 100. 1904, sec. 99. 1888, sec. 100. 1802, ch. 101, sec. 9.

102. In no case shall the order made by the orphans' court or register of wills that an account or claim will pass when paid be deemed of validity to establish such claim or account, but in case the administrator thinks fit to contest the same, such account or claim shall derive no validity from the order aforesaid, but shall be proved in the same manner as if no such order had been made.

The executor alone decides when to dispute a claim, and the only restraint upon him is that provided by sec. 106. *Bowie v. Ghiselin*, 30 Md. 557.

This section applied. Improper charges in a funeral bill. Custom. *Schaeffer v. Schaeffer*, 54 Md. 684.

In a suit by a creditor against an administrator, a *devastavit* may be inquired into. *Seighman v. Marshall*, 17 Md. 570.

For effect of orphans' court's determination upon a claim against an estate, and of decision of appellate court thereon, see *Levering v. Levering*, 64 Md. 413.

Cited but not construed in *Flater v. Weaver*, 108 Md. 672.

See notes to sec. 121.

An. Code, sec. 101. 1904, sec. 100. 1888, sec. 101. 1798, ch. 101, sub-ch. 8, sec. 14.

103. An administrator shall discharge all just claims known to him, or pay each claimant his just proportion of the money then in his hands (retaining as herein directed), within thirteen months from the date of his letters, or within such further time, not exceeding four months longer, as shall be allowed by the orphans' court, on his making oath that he hath reason to apprehend that the personal estate and assets which are or shall be in his hands will be insufficient to discharge the just debts of and claims against the deceased; it shall likewise be his duty, once in every term of six months, after the first distribution, to make a distribution of the money which hath since come to his hands, until he shall have fully administered, and on failure, his administration bond may be put in suit.

Executors should pay creditors within thirteen months, and then distribute any surplus in their hands. *Coward v. State*, 7 G. & J. 479.

If administrator has the money and fails to pay creditors, he may be charged with interest after expiration of thirteen months. *Gwynn v. Dorsey*, 4 G. & J. 462. And as to legatees, see *Mickle v. Cross*, 10 Md. 352.

As to interest on the claims of creditors, see also *Donaldson v. Raborg*, 26 Md. 313; *Hammond v. Hammond*, 2 Bl. 306.

Ordinarily legacies are payable at expiration of one year from testator's death, and bear interest from that time. When interest is payable from testator's death. *White v. Donnell*, 3 Md. Ch. 526. And see *Iglehart v. Kirwan*, 10 Md. 559; *Hammond v. Hammond*, 2 Bl. 306; *Thomas v. Frederick County School*, 9 G. & J. 115.