

1929, ch. 341.

**41A.** Any person residing in any other state which, by its laws denies to residents of Maryland the right to act or to qualify as a personal representative of a decedent resident of such state at the time of his death shall not be appointed or allowed to qualify as the personal representative of a decedent resident of this State at the time of his death. Nothing in this section shall be construed to impair the validity of any appointment or qualification antedating June 1, 1929, nor to affect in any way, any provision of law relating to the transfer of property in this State belonging to decedents or beneficiaries in another state or country.

See sec. 77.

### Administration by an Executor.

**42.**

Assumption that penalty of bond fixed and approved, even if docket does not show; where executor excused from giving bond, giving of general bond does not affect its validity. *State v. Talbott*, 148 Md. 79.

Cited but not construed in *All v. McComas*, 162 Md. 691.

A provision in a will that the executor be required to give nominal bond only is equivalent to excusing him from giving bond. *Neighbors v. Beck*, 162 Md. 362.

As to fiduciaries, see art. 37A.

**47.**

Cited but not construed in *Murray v. Hurst*, 163 Md. 489.

An. Code, 1924, sec. 51. 1912, sec. 50. 1904, sec. 49. 1888, sec. 50. 1798, ch. 101, sub-ch. 3, sec. 12. 1844, ch. 184, sec. 6. 1844, ch. 237, sec. 6. 1847, ch. 230. 1933, ch. 375.

**51.** Every executor or administrator, after filing his bond, and before letters shall be committed to him, shall be required to take the following oath, to be administered by the register of wills or Orphans' Court: "I, . . . . . do swear that I will well and truly administer the goods, chattels, personal estate and credits of . . . . . late of . . . . . deceased, to the best of my knowledge, according to law; and will give a just account of my administration when thereto I shall be lawfully called." Which said oath shall be recorded by the register of wills.

1933, ch. 378.

**51A.** Every executor or administrator who is a non-resident of the State of Maryland shall file in the office of the register of wills an instrument designating some local agent on whom service of any process may be made in like manner and with like effect as if it were served personally on such executor or administrator.

**53.**

Near relative adjudicated lunatic not qualified to act as administrator. See notes to sec. 31. *Mobley v. Mobley*, 149 Md. 404.