administration may be granted, on failure of a sole-named executor, shall authorize the granting of letters testamentary to one or more of the executors, on failure of one or more of the rest; and any circumstances under which letters of administration may be granted, on failure of a sole-named executor, shall authorize the granting of such letters of administration on failure of all the executors; and in no case where there are several executors named in a will shall letters testamentary be granted to one only, or to any number of them less than the whole, or shall letters of administration be granted until there shall be such proceedings against each of them failing as would authorize the issuing letters of administration in case of the failure of a sole-named executor.

The possession of one executor is possession of all. Montgomery *v.* Black, 4 H. & McH. 391.

Where there are three executors and only one of them answers a petition, case will be reversed on appeal for want of proper parties. Spencer *v.* Ragan, 9 Gill, 482.

One administrator is not liable for misconduct or negligence of his co-administrator unless he assents thereto. Entry of separate judgments against each of two administrators of estate. Gardiner *v.* Hardey, 12 G. & J. 365.

A testator may appoint different executors in different countries, or for different portions of his estate. Hunter *v.* Bryson, 5 G. & J. 483.

How the question of a failure to comply with this section must be raised. Kane *v.* Paul, 14 Pet. 41.

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

See notes to sec. 46.

An. Code, 1924, sec. 48. 1912, sec. 47. 1904, sec. 46. 1888, sec. 47. 1798, ch. 101, sub-ch. 3, sec. 7.

50. If any executor named in a will shall file or transmit to the orphans' court of the county wherein the will shall have been authenticated or proved as aforesaid an attested renunciation in writing of his trust, there may be the same proceedings with respect to granting letters testamentary or of administration as if the party so renouncing had not been named in the will; provided, nevertheless, that any executor named in a will shall be entitled, notwithstanding any failure or renunciation as aforesaid, on filing a bond as aforesaid, before letters testamentary or of administration shall actually be committed to another or others as aforesaid, to have letters testamentary granted to him, or to be included therein, as the case may require.

This section referred to in deciding that a revocation is irrevocable after letters granted—see notes to sec. 39. Stocksdale *v.* Conaway, 14 Md. 107.

See notes to sec. 46.

An. Code, 1924, sec. 49. 1912, sec. 48. 1904, sec. 47. 1888, sec. 48. 1798, ch. 101, sub-ch. 3, sec. 8.

51. In case letters testamentary shall be granted to one or more of the executors named in a will, on failure of the rest, no executor not named in said letters shall in any manner interfere with the administration, or have any greater interest in the estate of the deceased than if he had not been named in the will as executor; and if letters of administration, with a copy of the will annexed, shall be granted, no executor therein named shall in any manner interfere further with the administration, or have any greater interest in the estate than if he had not been named as aforesaid; and no executor named in a will shall, before letters testamentary be granted to him, have any power to dispose of any part of the estate of the deceased, or to interfere therewith further than is necessary to collect and preserve the same; but any act of an executor named in a will done before obtaining letters testamentary shall, in case he shall afterwards