

immediately enter on its proceedings and record that the letters be revoked, and may proceed to grant other letters in the same manner as if such executor had not been named in the will, or as if such administrator was not in existence; and the power of such executor or administrator shall thereupon cease, and he shall be bound to deliver up, on demand, to the person obtaining such letters, all the property of the decedent in his hands, or be liable to be sued by such person on his administration bond, and the Court may pass an order for the purpose.

Effect of failure of administrator to file inventory; allowance of commissions after estate fully administered. Discretion of Orphans' Court. *Brown v. Tydings*, 149 Md. 25.

This section referred to in determining the authority of an administrator *d. b. n.*—see notes to sec. 74. *United States v. Walker*, 109 U. S. 258.

See notes to sec. 223.

An. Code, 1924, sec. 226. 1912, sec. 219. 1904, sec. 218. 1890, ch. 51, sec. 215A.

226. Whenever after issues granted any party thereto dies, the court to which they are sent may admit as a party to such issues the proper representative, whether as to realty or personalty, namely, devisee, heir, executor or administrator of the party so dying in the place of such party, and the orphans' courts shall have the same right at any time after filing a petition before the issues are sent.

Jurisdiction of Orphans' Court having once attached, is not lost by death of administrator; his executrix should be made party. *Fulford v. Fulford*, 153 Md. 89.

An. Code, 1924, sec. 227. 1912, sec. 220. 1904, sec. 219. 1888, sec. 216. 1798, ch. 101, sub-ch. 6, sec. 14.

227. If there be more than one administrator named in the letters, any one or more of them, on the neglect of the rest, may return an inventory, and the administrator so neglecting shall not thereafter interfere with the administration, or have any power over the personal estate of the decedent; but the administrator so returning shall thereafter have the whole administration, unless within two months after the return of the delinquent or delinquents shall assign to the court some reasonable excuse, which it shall deem satisfactory.

An. Code, 1924, sec. 228. 1912, sec. 221. 1904, sec. 220. 1888, sec. 217. 1830, ch. 17.

228. Whenever the decedent shall leave a widow, or child, or grandchild, his wearing apparel shall be exempt from appraisement, and shall belong to the child or children of the decedent; and if no child or children, to the grandchildren; and if there be neither child nor grandchild, to the widow of the decedent; and his administrator shall divide the same among them (if there be more than one entitled) as he may think equitable and proper; but wearing apparel shall not include watches or jewelry of any description.

This section contemplates jewelry being included in appraisement (but see sec. 231). *Salabes v. Castelberg*, 98 Md. 651; *Snively v. Beavans*, 1 Md. 221.

See notes to secs. 5, 230 and 231.

An. Code, 1924, sec. 229. 1912, sec. 222. 1904, sec. 221. 1888, sec. 218. 1841, ch. 178, sec. 2. 1845, ch. 357, sec. 3.

229. The provisions which at the death of any decedent shall have been laid up for the consumption of his family, on his home or mansion-house farm, shall not be sold or included in the inventory of his estate, but shall remain for the use of the family of such decedent.

This section referred to—see notes to art. 46, sec. 3. *Wilson v. Jarrell*, 137 Md. 566.

See notes to secs. 5 and 230.