

Id s 37
1798, c 101,
sub-c 5, s 4
1802, c 101 s 6
Acts of admin-
istrator before
revocation
valid

75. All acts done by any executor or administrator according to law, before any actual or implied revocation of his letters, shall be valid and effectual, and the executor or administrator obtaining letters after a revocation, shall thereby be authorized to prosecute any actions at law or equity, commenced by the former executor or administrator, and obtain judgment in his own name, and likewise to defend any suit commenced against the former executor or administrator, and the new executor or administrator shall have the benefit of all judgments obtained by the former executor or administrator, and shall be bound by all judgments obtained against him, unless the same shall be shown to have been obtained by fraud, and set aside by the court in which the judgment was rendered, upon such suggestion of fraud, either upon examination in a summary way into the fact, or by directing an issue to try the same, or unless the executor or administrator shall show to the court that there are good grounds to open the judgment, in which case the court shall open the judgment for future litigation, and with respect to the allowance of costs, all such executors and administrators shall be on the same footing as if letters testamentary or of administration had not been granted, and the same rules in making such executor or administrator plaintiff or defendant, shall be observed as directed for making new parties in cases where a party dies

Id s 39
1798, c 101,
sub-c 3, ss 10, 11
Bond to be
given before
grant of ad-
ministration.
3s Md 339

76. Every administrator shall, before administration shall be granted to him, execute a bond to the State of Maryland with at least two sureties approved by the court or register, and in a penalty by them or him prescribed with the same condition annexed as herein prescribed for the bond of an executor, and the said bond shall be recorded and be liable to be sued, and be in all respects on the same footing as an executor's bond, and any person conceiving himself interested shall be entitled to a copy of said bond under seal, which copy shall be evidence.

Id s 40
1798, c 101,
sub-c 3 s 12
Oath of admin-
istrator.

77. Every administrator shall take the oath herein prescribed for an executor, before administration shall be granted to him.

THE PERSONS ENTITLED TO ADMINISTRATION.

Art 93, s 18
1798, c 101,
sub-c 5, s 10.
Order in which
persons entitled
to administration
11 Md 416.

78. If the intestate leave a widow and a child, or children, administration at the discretion of the court shall be granted either to the widow or child, or one of the children

Id s 19
1798, c 101,
sub-c 5, s 11.
Same

79. If there be a widow and no child, the widow shall be preferred, and next to the widow or children, a grandchild shall be preferred.

Id s 20
1798, c 101,
sub-c 5, s 12.
Same
27 Md 391.

80. If there be neither widow, nor child, nor grandchild, the father shall be preferred.

Id s 21
1798, c 101,
sub-c 5, s 13.

81. If there be neither widow, nor child, nor grandchild, nor father, brothers and sisters shall be preferred, and next to brothers and sisters, the mother shall be preferred.

Id s 22.

82. If there be neither widow, nor child, nor grandchild, nor