

setting down such as he shall deem sperate, distinct and separate from those which he shall deem desperate or doubtful.

138. It is not the intent of this article that an administrator shall be answerable at all events for a debt which he shall return sperate, but merely to enable the court and all parties concerned to form a just estimate of the circumstances of the decedent.

Id s 222.
1798, c 101,
sub-c 10 s 5
Liability as to
sperate debts
31 Md 341.

139. The bare naming an executor in a will, shall not operate to extinguish any just claim which the deceased had against him; but it shall be the duty of every such executor accepting the trust, to give in such claim in the list of debts; and on his failure to give in such claim, or any part thereof, any person interested in the administration may allege the same by petition to the Orphans' Court granting the administration, and the said court, with the consent of the parties, may decide on the same, or it may be referred by the parties with the court's approbation, or at the instance of either party the court may direct an issue or issues to be tried, and the same shall be tried in the Circuit Court for the county, or the Superior Court of Baltimore City, as other issues from the Orphans' Court, and the Circuit Court or Superior Court shall have power to direct the jury and grant a new trial, as if the issue or issues were in a suit therein instituted, and a certificate from such court, or the judge thereof, of the verdict, or finding of the jury, under the seal thereof, shall be admitted by the Orphans' Court to establish or destroy the claim, or any part thereof, and if the executor shall give in such claim, or any part thereof be established as aforesaid, he shall account for the sum due, in the same manner as if it were so much money in his hands, and on failure his bond may be put in suit.

Id s 224
1798, c 101,
sub-c 8, s 20
Naming of
executor in will
not to extin-
guish claim
which deceased
has against him
1 Md 189

Proceedings on
failure to give
in such claim.

140. In like manner it shall be the duty of every administrator to give in a claim against himself, and on giving it, or failure to give it in, there shall be the same proceedings in every respect as are herein prescribed in regard to an executor.

Id s 225
1798 c 101,
sub-c 8, s 21
Administrator
to return claim
due by him.

141. The purchase-money of land sold by a decedent and conveyed by his administrator after his death, received by the administrator, shall be returned as a separate debt due the estate of the decedent.

Id s 226.
Purchase-
money of land
sold by deced-
ent, and con-
veyed by
administrator,
how returned

ASSETS.

142. 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.

Art 93, s 217.
1830, c 17
Wearing ap-
parel, when
exempt from
appraisement

Watches and
jewelry not
included

143. The provisions which at the death of any decedent shall have been laid up for the consumption of his family, on his home or

Id s 218.
1841, c 178, s 2,
1845, c 357, s 3