

of this article, an oath of any other factor, made after the death of the decedent and certified and indorsed on the statement as aforesaid, "that the said bond, note, bill, or account, came into his hands as factor for the creditor residing at ———, after the death or removal of ———, the factor who took the said bond, note, bill, or delivered the articles in the account, that he has reason to believe, and does believe, that the said statement is full, just, and true, and that no part of the money originally due on such bond, note, bill, or account, or any security or satisfaction for the same, hath been received, except what (if any) is credited;" and the said oath, with the other respective vouchers or proofs as aforesaid, shall be sufficient to authorize the administrator to pay as aforesaid

Form of oath

**161.** When any affidavit or depositions to prove claims shall have been taken out of the State, the same shall be good if taken and certified as aforesaid by the notary of the place, or by some person there authorized to administer an oath, and certified to be such under the seal of the governor, or mayor, or chief magistrate or clerk of any court of record, or notary public of such place, and the said oath shall be as available as if taken before a justice within this State.

Id s 95  
1798, c 101,  
sub-c 9, s 12  
Affidavits out of  
State, how made  
and certified

**162.** If the creditor be an administrator, the claim shall not be received, although vouched or approved as aforesaid, unless he make oath, to be certified as aforesaid, "that it does not appear from any book, or writing of his decedent, that any part of the said claim hath been discharged, except what (if any) is credited, and that to the best of the deponent's knowledge and belief, no part of the said claim hath been discharged, and no security or satisfaction given for the same, except what (if any) is credited."

Id s 96  
1798, c 101,  
sub-c 9, s 14  
If creditor be  
administrator,  
how proven  
20 Md. 282

**163.** In no case shall an administrator be allowed to retain for his own claim against the decedent, unless the same be passed by the Orphans' Court, and every such claim shall stand on an equal footing with other claims of the same nature.

Id s 97  
1798, c 101,  
sub-c 8, s 19  
Administrator  
not to retain for  
his own claim,  
unless passed.  
10 Md 242,  
14 Md 8

**164.** No administrator shall be allowed in his account for any claim discharged by him, unless he produce the claim passed by the Orphans' Court, or proven as herein directed.

Id s 98  
1798, c 101,  
sub-c 9, s 15.  
Not to be al-  
lowed for claims  
unless proven  
or passed  
30 Md 553

**165.** The register of wills shall enter in a suitable book, to be provided by him for that purpose, all claims against a decedent, in regular order, as they are passed by the Orphans' Court or register of wills, giving the date of the passage, the name of the creditor, the character of such claim, whether open account, note, bond, bill obligatory, judgment, or other evidence of debt, and the amount thereof, if an open account, the interest due thereon up to the date of the passage shall be stated separately; if a note, bond, bill obligatory, judgment, or other evidence of debt, the date thereof, and the date from which interest begins to run, shall also be stated, and other particulars of such claims, and the entry of a claim upon such book shall be taken as notice to the administrator of its existence;

1862, c 142  
How claims  
against dece-  
dent to be en-  
tered in book  
by register  
17 Md 569,  
25 Md 585.