

and disputed as aforesaid, the creditor or claimant shall not, within nine months after such dispute or rejection, commence a suit for recovery, the creditor shall be forever barred; and the administrator may plead this section in bar, together with the general issue or other plea proper to bring the merits of the cause to trial; and on any dividend to be made nine months after such dispute or rejection and failure to bring suit, the administrator may proceed to pay or distribute, as if he had not knowledge or notice of such claim, or as if it did not exist, but, if the claim be put in suit within the nine months, it may be ascertained by verdict or otherwise, and the court shall proceed as herein directed, regard being had to the rules herein laid down as to the notice to be given by the administrator, and distribution or payment to be made after such notice.

**179.** In case all the assets have been paid away, delivered, or distributed as herein directed, and a claim shall afterwards be exhibited, of which the administrator hath not notice by the exhibition of the claim legally authenticated, as herein required, he shall not be answerable for the same; and if he be sued for any claim, and shall make it appear to the court in which suit is brought that he hath so paid away, delivered, or distributed, and the plaintiff cannot prove that the defendant had notice as aforesaid before such payment, delivery, or distribution, the court shall not proceed to give judgment (although the amount of the claim against the deceased may be ascertained) until the plaintiff shall be able to show further assets coming into the defendant's hands, but if the plaintiff shall prove notice as aforesaid, of the said claim against the defendant, judgment may immediately be given for such sum as the plaintiff ought to have received at the dividend, and *fiery facias* may issue and have effect, and further judgment may be given on coming in of further assets.

Id s 109.  
1798, c 101,  
sub-c 8, s 15,  
1823, c 131, s 2  
When administrator answerable on claim after notice.

#### PAYMENT OF LEGACIES AND DISTRIBUTIVE SHARES.

**180.** Any release or receipt executed to any executor, administrator, or guardian, by any person authorized to execute the same (and any female over eighteen years of age is hereby authorized to execute the same), which shall be acknowledged and certified as hereinafter directed, may be recorded in the office of the register of wills of the county where letters testamentary or of administration were granted, or where the guardian was appointed or gave bond; and a copy of the record under seal of such release or receipt, shall be evidence of such release or receipt.

**181.** The releases and receipts mentioned in the preceding section, may be acknowledged in this State before a justice of the peace; and if acknowledged before a justice of the peace of any other county or city than that in which it is to be recorded, there shall be a certificate of the clerk of the Circuit Court of the county, or the Superior Court of Baltimore City, under the seal of the court, that the person before whom the acknowledgment was taken, was at

Art 79 s 1  
1809, c 168, ss  
1, 2, 1829, c 216,  
s 7, 1831, c. 305,  
ss 3-5  
Releases to  
administrators  
and guardians  
may be re-  
corded.  
3 Md Ch Dec.  
234, 4 Md Ch  
Dec 228, 21 Md  
11, 22 Md 298,  
28 Md 370  
Copy of record,  
evidence.

Id. s 2  
1809, c 168, s 1,  
1831, c 305, s 1,  
1856, c 154, s 84.  
Before whom  
acknowledged  
in the State, and  
how certified  
8 Md 234, 12  
Md 420, 13 Md.  
410.