

allowed to executors and administrators, and a tax on collateral inheritances, distributive shares and legacies, so help me God." Which said oath shall be recorded by the register of wills.

1888, art 93, sec 51. 1860, art. 93, sec. 51. 1798, ch. 101, sub-ch. 3, sec. 13.

50. The following shall be the form of letters testamentary: Maryland, ss: The State of Maryland to all persons to whom these presents shall come, greeting:

Know ye, that the last will and testament of _____, of _____, deceased, hath been in due form of law exhibited, proved and recorded in the office of the register of wills for _____ county, a copy of which is to these presents annexed, and administration of all the goods, chattels and credits of the said deceased is hereby granted and committed unto _____, the executor by the said will appointed. Witness, A. B., chief justice of the orphans' court of _____ county, this _____ day of _____.

Test: C. D., register of wills for _____ county.

Ibid. sec. 52. 1860, art 93, sec 52. 1798, ch 101, sub-ch. 4, sec. 1.

51. If any person named as executor in a will shall be, at the time when administration ought to be granted, under the age of eighteen years or of unsound mind, incapable according to law of making a contract, or convicted of any crime rendering him infamous according to law, or if any person named as executor shall not be a citizen of the United States, letters testamentary or of administration (as the case may require) may be granted in the same manner as if such person had not been named in the will.

Davis v. Jacquin, 5 H. & J. 110. Georgetown College v. Browne, 34 Md. 450

Ibid. sec. 53. 1860, art. 93, sec. 53. 1798, ch. 101, sub-ch. 4, sec. 2.

52. No question respecting infamy, citizenship or competent age shall be determined by the orphans' court without summoning the person so named in the will and alleged to be infamous, alien or under age, provided, he be within the State, or without giving such notice by advertisement or otherwise, as the court shall direct (in case he be out of the State), and hearing in case the party shall attend agreeably to summons or notice.

Ibid. sec. 54, 1860, art 93, sec. 54. 1798, ch. 101, sub-ch. 4, sec. 3.

53. A transcript of the record of conviction shall be evidence in the orphans' court to prove the party infamous.