

ments and decrees, a proportionate dividend shall be made between the judgment and decree creditors.

SEC. 2. *And be it further enacted, That this Act shall take effect June 1, 1967.*

Approved March 24, 1967.

CHAPTER 124

(House Bill 118)

AN ACT to repeal and re-enact, with amendments, Section 112 of Article 93 of the Annotated Code of Maryland (1966 Cumulative Supplement), title "Testamentary Law," subtitle "Debts," correcting an error therein dealing with actions brought against executors and administrators, under Testamentary Law.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 112 of Article 93 of the Annotated Code of Maryland (1966 Cumulative Supplement), title "Testamentary Law," subtitle "Debts," be and it is hereby repealed and re-enacted, with amendments, to read as follows :*

112.

Executors and administrators shall have full power to commence and prosecute any personal action whatever, at law or in equity, which the testator or intestate might have commenced and prosecuted, except actions of slander, provided, that if the death of the testator or intestate shall have resulted from the wrong for which any such personal action might have been commenced [than] *then* the executor or administrator shall be entitled to recover the funeral expenses of said testator or intestate, not to exceed, however, the sum of one thousand dollars (\$1,000.00), in addition to any other damages recoverable in such actions; and they shall be liable to be sued in any court of law or equity, in any action (except slander) which might have been maintained against the deceased; and they shall be entitled to and answerable for costs in the same manner as the deceased would have been, and shall be allowed for the same in their accounts, if the court awarding costs against them shall certify that there were probable grounds for instituting, prosecuting or defending the action on which a judgment or decree shall have been given against them; provided, however, that any such action maintainable against an executor or administrator must be commenced within six calendar months after the date of the qualification of the executor or administrator of the testator or intestate; except that such action against the estate of a testator or intestate may be instituted after the expiration of six months but within the statute of limitation in the event the deceased was covered by an existing insurance policy at the time of the occurrence, the existence of such insurance coverage not being admissible at the trial of the case and the recovery in the event of a judgment against the estate to be limited to the extent of such existing insurance.