

How and of whom letters testamentary or of administration are to be obtained.

tration is granted; and any person conceiving him or herself interested in the administration of the estate, shall be entitled to, and have on demand, a copy of such bond, and a certificate from the register, under his hand and the seal of his office, upon which copy and certificate an action may be maintained, in the name of the state, for the use of the party interested, and judgment may be recovered, upon such action for the damage actually sustained.

SEC. 11. The condition of the bond to be passed by any executor or executrix, administrator or administratrix, shall be as follows, or to the following effect: 'The condition of the above obligation is such, that if the above bounden — — shall well and truly perform the office of executor or executrix, administrator or administratrix, of — —, late of — —, deceased, according to law, and shall, in all respects, discharge the duties of him (or her) required by law, as executor or executrix, or administrator or administratrix, aforesaid, without any injury or damage to any person interested in the faithful performance of the said office, then the above obligation shall be void; it is otherwise to be in full force and virtue in law.'

SEC. 12. Every executor or executrix, administrator or administratrix, after filing his or her bond for faithful performance, and before letters shall be committed to him or her, shall be required to take the following oath, or affirmation, as the case may require, to be administered by the register of wills, or orphans court: 'I, — —, do swear, (or solemnly, sincerely and truly do affirm and declare,) that I will well and truly administer the goods, chattels, personal estate and credits, of — —, late of — —, deceased, to the best of my knowledge, according to law, and will give a just account of my administration when thereto I shall be lawfully called; so help me God.'

SEC. 13. The following shall be the form of the letters testamentary to be granted to an executor, executrix or executors, under the seal of the orphans court: 'Maryland, sc. 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 in due form of law been 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 deceased, is hereby granted and committed unto — —, the executor, executrix or executors, (or one or more of the executors,) 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.'