

Administration by Collector.

1904, art. 93, sec. 59. 1888, art. 93, sec. 60. 1860, art. 93, sec. 60. 1798, ch. 101, sub-ch. 3, sec. 14.

60. Letters *ad colligendum* may be granted by the orphans' court of the county in which the will was proved or authenticated or where letters of administration ought to be granted in cases of delay on account of absence from the State of an executor, a contest relative to the will, or right of administration, or the absence or neglect of an executor or person entitled to administration to qualify, or from any other cause, and such letters may be granted to one or more persons, in the discretion of the court, in case the personal estate of the deceased shall be supposed to be in different counties.

When the right of an administrator *ad colligendum* to sue is challenged, he need only show that he was appointed and bonded before suit brought; proof held sufficient. A court of law can not inquire into the propriety of the grant of letters. *Wilson v. Ireland*, 4 Md. 448.

This section referred to in construing sections 5 and 65—see notes thereto. *Wilson v. Wilson*, 3 G. & J. 22.

See notes to sec. 5.

Ibid. sec. 60. 1888, art. 93, sec. 61. 1860, art. 93, sec. 61. 1798, ch. 101, sub-ch. 3, sec. 15.

61. The form of such letters shall be as follows: Maryland, ss: The State of Maryland, to all persons to whom these presents shall come, greeting: Know ye that whereas ———, of ———, deceased, had, as it is said, at his decease, personal property within this State, administration whereof can not immediately be granted, but which, if speedy care be not taken, may be lost, destroyed or diminished; to the end therefore that the same may be preserved for those who may appear to have a legal right or interest therein, we do hereby request and authorize ———, of ———, to secure and collect the said property wheresoever the same may be in this State, (or in ——— county or counties,) whether it be goods, chattels, debts or credits, and to make or cause to be made a true and perfect inventory thereof, and to exhibit the same with all convenient speed, together with a reasonable account of his collection, into the office of the register of wills of ——— county. Witness ———, chief justice of the orphans' court of ——— county.

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

Cited but not construed in *Baldwin v. Mitchell*, 86 Md. 381.

Ibid. sec. 61. 1888, art. 93, sec. 62. 1860, art. 93, sec. 62. 1798, ch. 101, sub-ch. 3, sec. 16.

62. Every collector, before such letters shall be granted to him, shall execute a bond to the State in a penalty, and with security approved by the said court, to be filed, recorded and sued as an administration bond, with the following condition: "The condition of the above obligation is such, that if the above bounden ——— shall well and honestly discharge the office of collector of the goods, chattels and personal estate and debts of ———, deceased, in the State of Maryland, (or ———