

the following oath, to be administered by the register of wills or Orphans' Court: "I _____, do swear 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; and that I will diligently and faithfully regard, and well and truly comply with the law imposing a tax on the commissions 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.

1844, c 184, s 6;
1844, c 227, s 6.
Oath

59. The following shall be the form of letters testamentary: Maryland, s^c: The State of Maryland to all persons to whom these presents shall come, greeting:

Id s 51
1798 c 101,
sub-s 3 s 13
Form of letters
testamentary.

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.

60. 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 convict 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.

Id. s 52
1798, c 101,
sub-c 4, s 1
Disqualifica-
tions of execu-
tor

61. 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.

Id s 53
1798, c 101,
sub-c 4, s 2
Questions of
disqualification,
how deter-
mined

62. A transcript of the record of conviction shall be evidence in the Orphans' Court to prove the party infamous.

Id s 54
1798, c 101,
sub-c 4, s 3
Transcript of
record of con-
viction, evi-
dence

63. When any person so named as an executor in a will shall be alleged to be an alien, or not a citizen of the United States, his citizenship shall not be established otherwise than by a certificate under the seal of the office or court where the party became naturalized, or by competent testimony that the said person is a natural born citizen of the State, or of the United States, or that the person is or was the wife of a citizen of the United States, and resides therein.

Id s 55
1798, c 101,
sub c 4, s 4;
1849, c 30
Evidence of
citizenship of
executor.