

or chief magistrate or clerk of any court of record, or notary public of such place; and the said oath shall be as available as if taken before a justice of the peace within this State.

1888, art. 93, sec. 95. 1860, art. 93, sec. 96. 1798, ch. 101,
sub-ch. 9, sec. 14.

94. If the creditor be an administrator, the claim shall not be received, although vouched or approved as aforesaid, unless he make oath to be certified as aforesaid, "that it does not appear from any book or writing of his decedent, that any part of the said claim hath been discharged except what (if any) is credited, and that to the best of the deponent's knowledge and belief no part of the said claim hath been discharged, and no security or satisfaction given for the same, except what (if any) is credited.

Watson v. Watson, 58 Md. 442. *Bull, Exr. v. Funk*, 75 Md. 368.

Ibid. sec. 96. 1860, art. 93, sec. 97. 1798, ch. 101. sub-ch. 9, sec. 19.

95. In no case shall an administrator be allowed to retain for his own claim against the decedent, unless the same be passed by the orphans' court, and every such claim shall stand on an equal footing with other claims of the same nature.

Scott v. Dorsey's Exrs., 1 H. & J. 227. *Turner v. Bouchell's Exrs.*, 3 H. & J. 99. *Spedden v. State*, 3 H. & J. 251. *Carnan v. Turner*, 6 H. & J. 65. *Scott v. Burch*, 6 H. & J. 67. *Gist v. Cockey*, 7 H. & J. 134. *Collinson v. Owens*, 6 G. & J. 4. *Evans v. Iglehart*, 6 G. & J. 171. *Lee v. Lee*, 6 G. & J. 316. *Stevenson v. Shriver*, 9 G. & J. 324. *McCormick v. Gibson*, 10 G. & J. 108. *Owings v. Owings*, 10 G. & J. 268. *Stockett v. Jones*, 10 G. & J. 276. *State v. Reigart*, 1 Gill, 1. *Watkins v. Dorsett*, 1 Bl. 530. *Ellicott v. Welch*, 2 Bl. 242. *Tessier v. Wyse*, 3 Bl. 28. *Randall v. Hodges*, 3 Bl. 477. *Semmes v. Young's Admrs*, 10 Md. 242. *Hesson v. Hesson*, 14 Md. 8. *Billingslea v. Henry*, 20 Md. 282

Ibid. sec. 97. 1860, art. 93, sec. 98. 1798, ch. 101. sub-ch. 9, sec. 15.

96. No administrator shall be allowed in his account for any claim discharged by him unless he produce the claim passed by the orphans' court, or proven as herein directed.

Owens v. Collinson, 3 G. & J. 25. *Bowie v. Ghiselin*, 30 Md. 553. *Coburn v. Harris*, 53 Md. 367. *Bonaparte v. State*, 63 Md. 465.

Ibid. sec. 98. 1860, art. 93, sec. 99. 1798, ch. 101, sub-ch. 9, sec. 9.

97. It shall not be considered as the duty of an administrator to avail himself of the act of limitations to bar what he supposes to be a just claim, but the same shall be left to his honesty and discretion.

Forbes v. Perrie's Admr., 1 H. & J. 109. *Scrivener's Admr. v. Scrivener's Exrs.*, 1 H. & J. 743. *Lansdale v. Ghequiere*, 4 H. & J. 257. *Barney v. Smith*,