make oath that it is correct to the best of his knowledge and belief, and that he will, well and truly charge himself with all debts due the deceased or insolvent which he may discover and collect.

109. No administrator or other accounting officer of the Orphans Court shall sell any property under his charge, as such, unless by order of the Orphans Court, and if the property sold, be real estate, or a sea-going vessel having a deck, or the terms of the order of sale require it, every such officer shall report such sale upon oath to the Orphans Court; who shall, if the property be considerable, give notice to all persons interested, by publication in such manner as the court by general rules may direct, to come in and shew cause, if any they have, why the said sale should not be ratified, and the sale shall be incomplete until ratified by the court, which it shall be in the discretion of the court to do or not as may appear just.

110. No sale of real estate, or of a sea-going vessel having a deck, made by an accounting officer of the Orphans Court shall be valid, unless made in pursuance of an order of court, and any accounting officer, who sells any other description of property without such order may be removed from office, and shall account for the appraised value of the property so sold, and for such additional amount as the Orphans Court, after investigation, may direct, although he sold the property for less than the appraised value.

111. Every creditor of a deceased or insolvent person, shall within four calendar months after the appointment of an administrator or trustee, file with the Register the evidence of his or her claim, which shall be either the copy of a judgment or other record certified by the proper officer, an original instrument of writing, signed by the deceased or insolvent, or an account made out by the creditor. Each of the above vouchers shall be accompanied by an affidavit sworn by the claimant after the death of the deceased, or assignment of the insolvent, that the claim is still justly due and unpaid. No claims not so filed, shall be entitled to any dividend out of the estate.

112. It shall be the duty of every administrator and trustee, within five months after his appointment, to pay all the debts of the deceased or insolvent, equally, except so far as particular creditors may have legal liens or claims on particular property in his possession, which claims or liens shall be first satisfied out of the property liable to them, and then all just claims shall be paid equally, provided that any administrator or trustee may dispute any claim,

and retain its proportions of the estate in his hands until such dispute is settled.

113. Every administrator or trustee shall pay out of the estate; first, the reasonable funeral expenses of the deceased, in the discretion of the court, then the public taxes on the property, then the necessary expenses of defending, preserving and disposing of the property, then the expenses of the improvements or alterations which he, with the consent of the Orphans Court, may have made in the property for the benefit of the estate, the fees of the Register, and his own commissions as ascertained by the court, before he distributes the estate among the creditors.

114. Every administrator and trustee for the benefit of the creditors of an insolvent debtor, shall within five months after his appointment settle an account with the Orphans Court, in which he shall charge himself with the inventory, with the difference between the price for which any articles have sold, and the rate at which they were appraised, with all debts which he has collected, and with all sums of money which he has received on account of the estate, and with such sums as the court may direct under the 110th section, and shall be credited (if an administrator,) with the funeral expenses of the deceased, with the loss of any articles belonging to the estate, which have perished without his fault, with the difference between the price of any articles sold by authority of the Orphans Court, and the inventory value thereof, with all lawful payments made by him for the preservation or advantage of the estate of which the Orphans Court may approve, with the public taxes, and rents payable on account of the estate and falling due after the death or insolvency, with his commission as fixed by the court, and the fees of the Register, and with such payments as he may have lawfully made on account of the debts of the deceased or insolvent.

115. Every administrator or trustee setling an account, shall make oath, that the account is just and true, that he hath charged himself with all that he hath received belonging to the estate, and hath asked credit for nothing which he hath not actually lost, paid or secured to be paid, except his commissions.

116. Every administrator and trustee for the benefit of the creditors of insolvent debtor, after having settled his account in the manner provided for in the two last sections, may ask, and the Orphans Court in its discretion may grant, further time not exceeding six months from the settlement of the last account to wind

Maryland Historical Society

The Maryland State Colonization Society Papers

XIII. Colonization Pamphlets

1. The Declaration of Rights,
The Constitution of the
State of Md. in Liberia
(rough draft, engrossed copy, printed copy)