

M A R Y L A N D, N O V E M B E R, 1779.

and to, their several and respective lots and houses, laid down in the manner herein directed, as if the original plot had never been torn and defaced.

C H A P.
XXIII,
XXIV.

C H A P. XXIV.

An A C T relating to the estates of deceased persons.

BE it enacted, by the General Assembly of Maryland, That where any gold or silver, in coin or plate, shall belong to the estate of any deceased person, the same shall not be appraised, but shall be returned in the inventory, and the weight of the plate and the species of the coin particularly mentioned.

Gold or silver
not to be ap-
praised, &c.

II. **AND**, Whereas doubts have arisen about the extent of the jurisdiction of the orphans court, and great injustice may be done to widows and orphans, for want of proper powers in those courts:

III. **BE** it enacted, That the several orphans courts throughout this state, in all cases where the estate of deceased persons is in debt, may direct a sale of the whole personal estate, or such part thereof as may be sufficient to pay debts, and in all cases of distribution, they may direct a sale of the goods and chattels of the deceased, or a distribution in specie, at the election of the parties concerned, if they or their guardians shall desire the same, and if no election be made, or the parties concerned in interest differ in opinion, then in all such cases the said justices may direct a sale of the whole or a part of such personal estate, or a distribution in specie, at their discretion; and in all cases of distribution in specie, there shall be a re-appraisement, wherein regard shall be had to the value ascertained by the first appraisement, and all the personal estate (gold or silver coin included) is hereby subjected to such distribution in kind, any law or custom to the contrary notwithstanding.

Orphans court
may direct a
sale of the
personal e-
state, &c.

IV. **AND**, Whereas it is represented to this general assembly, that in many instances the personal estates of deceased persons have been appraised in current money, and afterwards sold by the executor or administrator at the current prices, whereby creditors and orphans have been defrauded:

V. **BE** it enacted, That where any personal estate has been appraised since the first day of March seventeen hundred and seventy-seven, in current money, or where any estate was appraised before that time, and distribution thereof has not yet been made, and in all estates hereafter to be appraised as aforesaid, if any part of such estates have been or shall be sold, the executor or administrator shall be answerable for the amount of the sales, and accountable therefor to the creditors or legal representative of their testator or intestate; and if hereafter any part of the personal estate of any deceased person shall be sold, the executor or administrator shall be answerable and accountable as aforesaid for the amount of the sales.

Executors,
&c. answer-
able for the a-
mount of the
sales, &c.

VI. **AND**, Whereas it may happen that the chancellor is or may be interested in cases where bills in chancery may properly lie; **AND**,
Whereas