

the court shall direct, and such bonds shall be and remain a lien on the lands for the purchase of which they were given until the said bonds shall be wholly paid.

Bonds may be given to the state instead of the representatives of the deceased.

SEC. 22. *And be it enacted,* That it shall not be necessary, if the county or chancery court, as the case may be, shall deem it to be for the interest of all persons concerned, for the purchaser or purchasers of any part of the real estate of any person dying intestate, which may be sold by commissioners under this act, or where any one or more of the representatives of such intestate shall elect to take the same, or any part thereof, at the valuation made by commissioners as is by this act allowed and directed, to give bond to each of the representatives of such intestate, but that such purchaser or purchasers, or person or persons who may elect to take such real estate or any part thereof, shall give bond to the state of Maryland, in such penalty and with such sureties, as the court from which such commission may issue, shall direct and approve, conditioned for the payment of the amount of the valuations or purchase money, (as the case may be,) to the legal representatives of such intestate, in such proportions as each may be entitled to agreeably to the order of the court; which bond shall be and remain a lien on the said real estate until the money intended to be secured thereby shall be wholly paid, and the said bond shall be recorded among the records of the county court from which the commission may have issued; and in case the commission shall have issued from the chancery court then the said bond to be recorded in the office of the court of appeals for the western shore; and upon such bond, or an office copy thereof, suit or suits may be instituted against the obligors therein, or any of them, for any breach of the condition thereof by any person interested therein; and the plea of non est factum shall not be received to any such suit unless the same is verified by the affidavit of the defendant or defendants tendering the same.

Allowance to the commissioners, &c. and how to be paid, &c.

SEC. 23. *And be it enacted,* That the chancellor or the respective county courts as the case may be, shall be and they are hereby authorized and empowered, to allow to each commissioner, for every day he shall necessarily attend in the execution of such commission, a sum not exceeding two dollars per day, and to the surveyor employed by them (when necessary,) a sum not exceeding six dollars per day, for himself and chain carriers, and such other expenses as they may deem reasonable and proper, all which allowances and expenses, together with the fees on the issuing and return of such commission, shall be paid by the representative or representatives as the case may be, applying for the commission, when the lands or estate are divided, or by the representative making his or her election to take the estate; and such representative or representatives, as