

trustees to the guardian or guardians of such infant or infants, to be by such guardian or guardians vested in such public stock, or other permanent funds, as will at least net six *per centum per annum* at the time of the purchase, and as the orphans court of the county, by whom such guardian or guardians shall have been appointed, shall direct. CHAP. 154.

See 1819, ch. 144, s. J.

6. AND BE IT ENACTED, That the surplus interest, after what may be necessary for the maintenance and education of the said infant or infants respectively, as it accrues, shall be vested by such guardian or guardians, in such stock as aforesaid, and as the orphans court shall and may direct as aforesaid. Surplus to be invested

7. AND BE IT ENACTED, That all monies vested by and in virtue of this law, shall be vested in the name of such infant or infants, and shall be transferrable only by virtue of an order of the orphans court aforesaid, and all transfers without such order are hereby declared void to all intents and purposes. To be vested in name of infants

8. AND BE IT ENACTED, That no part of the principal arising from the sale of any real estate by virtue of this law, shall in any wise be applied towards the maintenance or education of any infant, unless the chancellor or the county court, as the case may be, shall consider it necessary for the education or maintenance of the minors. Principal not to be applied to education of infants, unless considered necessary

9. AND BE IT ENACTED, That in case of the death of any such infant or infants before their arrival at lawful age, or his, her or their death without lawful issue, the proceeds of the said sale, or the said stock, shall be considered as real estate, and as such shall descend to those heirs or representatives who would be entitled to the said lands, in the same manner as if the same had not been sold in virtue of this law. How property is to descend in case of infant's death

10. AND BE IT ENACTED, That in case a widow shall be entitled to any right of dower, and will consent to the sale of the whole estate, she shall signify her consent in writing, and the same shall be filed with the clerk of the county court, or the register of the chancery, as the case may be, and thereupon the trustee or trustees as aforesaid, shall proceed to sell the whole estate, according to the terms to be prescribed as aforesaid, free and disencumbered of any right of dower of the said widow in and to the same, and in consideration thereof the chancellor, or county courts respectively, shall award to such widow such proportion of the purchase as he or they shall think just and equitable, not exceeding more than one seventh part nor less than one tenth part of the net proceeds of the said sales, according to the age, health and condition, of such widow, and such award of payment shall be a sufficient bar to all and every right or title of dower which such widow may claim in and to such real estate so as aforesaid sold. Award to widow entitled to dower, and consenting to a sale

11. AND BE IT ENACTED, That in case the widow shall not elect that the lands, tenements or hereditaments, so ordered to be sold, shall be sold free, clear and unencumbered of any right of dower which she may have in and to the same, then and in that case it shall and may be lawful for the chancellor or the county courts, as the case may be, to issue a commission, to five commissioners, in the same manner as is directed by an act\*, entitled, An act to direct descents, and of the several supplements thereto; and Proceedings in case widow does not consent

\*1780, ch. 45.