

The proceeds of the sale about to be ordered, might, if it could be done with proper security, be placed in the hands of the administrator of the deceased, to meet in due course of administration, the demands upon that personal property in his hands, which they are intended to relieve and save from the claims of creditors. But an administrator or executor only gives bond for the faithful administration of the personalty, as left by the deceased, which may come to his hands, and nothing else; and therefore, that bond could not be considered as a security for any proceeds of the sale of the realty which this Court might direct to be placed in his hand. (c) And as this Court could not demand any additional security from the administrator of the deceased, even if he were a party to this suit, it must itself call in the creditors of the deceased, and distribute the proceeds of sale among them as usual, in a creditor's suit originally instituted by a creditor in behalf of himself and all other creditors.

Decreed, that the tracts of land lying in Anne Arundel County, called Schekele's Chance, and Lot No. 57, whereof Henry Waring died seized, be sold, and that Thomas F. Bowie be, and he is hereby appointed trustee to make the said sale, &c. &c.; to sell the said land and premises at public sale to the highest bidder on a credit of six months, the purchaser to give bond with surety to be approved by the trustee for the payment of the purchase money, with interest from the day of sale, &c. &c. And the said trustee shall, at the time of advertising the said property for sale, give notice to the creditors of Henry Waring, deceased, to file the * vouchers of their claims in the Chancery office within four **678** months from the day of sale.

Under this decree the trustee sold the property as directed, which sale was finally ratified on the 15th of December, 1831. After which the widow was allowed one-eighth of the net proceeds of sale in lieu of her dower; and no creditor having come in as notified, the residue of the proceeds of sale were afterwards, on the application and with the consent of all parties, ordered to be paid over to the intestate's surviving administrator to be by him administered in due course. And the case was thus closed here.

(c) 1831, ch. 315, s. 10 and 11—as to sales of real estate by an executor, authorized to sell by his testator; and that the bond of an executor or guardian shall be answerable for the proceeds of the sales of the real estate of the testator or ward, which may come into his possession.