

**Sales.****218.**

This section and section 228 referred to in construing article 93, section 331. Executors held to have no power under a will to sell real estate for the payment of legacies. *St. John's Church v. Dippoldsman*, 118 Md. 247.

**224.**

This section referred to in holding that there was no reversible error in an order directing a resale of property. This section applies to sales made under powers in mortgages. *Middendorf v. Baltimore Refrigerating Co.*, 117 Md. 23.

**228.**

When a trustee has an implied power of sale under a will, the validity of a sale by him is not affected by the fact that he applies for a decree under this section instead of acting under the will. Under this section, it must appear that the sale was advantageous to the parties at the time of the decree. A decree authorizing sales to be made from time to time upon application to be thereafter made to the court, does not conform to this section. *Preston v. Safe Deposit Co.*, 116 Md. 214.

A bill held sufficient to give the court jurisdiction under this section; parties; title upheld. *Sam'l. Ready School v. Safe Deposit & Trust Co.*, 121 Md. 517.

For a bill filed by a life tenant against the trustees and remaindermen praying a sale under this section, see *Poultney v. Emerson*, 117 Md. 656.

To the third note to section 228 on page 430 of volume 1 of the Annotated Code, add the case of *Levering v. Gosnell*, 115 Md. 588.

See notes to section 218.

**Trustee.****235.**

This section was intended to afford full protection to persons interested in the trust property; bill held sufficient to authorize the court to exercise its power under this section. *Condon v. Updegraf*, 117 Md. 75.

To the third note to section 235 on page 434 of volume 1 of the Annotated Code, add the case of *Schmidt v. Hinkley*, 115 Md. 337.

1904, art. 16, sec. 221. 1888, art. 16, sec. 205. 1874, ch. 493, sec. 107.  
1892, ch. 241. 1900, ch. 114. 1912, ch. 778.

**237.** Every trustee to whom any estate, real, personal or mixed, shall be limited or conveyed for the benefit of creditors, or to be sold for any other purpose, except upon a contingency, shall file with the clerk of the court in which the deed or instrument creating the trusts may be recorded, a bond in such penalty as the clerk may prescribe, being as nearly as can be ascertained double the amount of the whole trust estate, and with sureties to be approved by the clerk, conditioned for the faithful performance of the trusts reposed in such trustee, which bond shall be retained and recorded in the office of said clerk; and no title shall pass to any trustee as aforesaid, until such bond shall be filed and approved as aforesaid, and no sale made by any such trustee without such bond shall be valid or pass any title to such property or estate. If the trust estate consists of real property, or of real and personal property, situated partly in the county or city in which the grantor reside, and partly in one or more other counties, it shall be sufficient that a bond has been accepted and filed in the county of the grantor's residence;