

An. Code, sec. 289. 1904, sec. 286. 1888, sec. 281. 1798, ch. 101, sub-ch. 6, sec. 12.
1807, ch. 136, sec. 1.

298. An administrator shall either finish the crop on hand at the death of the decedent, or sell the same, as he shall judge the most convenient; and in case he shall not deem it convenient to finish the crop, the person entitled to the land on the death of the decedent, or his guardian, or next friend for him, in case of infancy of the party, may take the said crop at the appraisement of the appraisers, paying ready money, or giving bond with good security, approved by the orphans' court or the register of wills, if the said court shall not be in session at the time of making such sale, for paying the money within six months; and in case the said party or his guardian shall not take the crop at the appraisement, the administrator may sell the same to any other person for ready money, or on credit, as aforesaid; provided, that he shall not sell it at less than the appraised value without the approbation of the orphans' court granting the administration, or an order prescribing the terms by the said court passed as aforesaid.

Growing crops are assets in the hands of an administrator—see sec. 231.

An. Code, sec. 290. 1904, sec. 287. 1888, sec. 282. 1831, ch. 315, secs. 10, 11. 1833, ch. 262.
1865, ch. 51. 1884, ch. 426.

299. In all cases where an executor may be authorized and directed to sell the real estate of a testator, such executor may sell and convey the same, and shall account therefor to the orphans' court of the county where he obtained letters, in the same manner that an executor is bound to account for the sales of personal estate; and the orphans' court may allow such executor a commission on the proceeds of such sale, not less than two nor more than ten per cent.; but such sale shall not be valid or effectual unless ratified and confirmed by the orphans' court, after notice by publication given in the same manner as practised in cases of sales of lands under decrees in equity; and the bond of such executor shall be answerable for the proceeds of sales of the real estate which may come into his possession, to the same extent as if it were personal estate in his hands; in case the purchaser of any such real estate has transferred, or shall transfer his said purchase to another person, it shall be lawful for the orphans' court, upon petition in writing by the original purchaser and such assignee and upon being satisfied that such substitution or transfer may be made without injury to the estate, to pass an order substituting such assignee as purchaser of the said real estate, upon such terms as may be deemed expedient, regard being had to the interests of the estate, and directing the executor to convey the said real estate to the said assignee, his heirs and assigns; provided, however, that it shall not be necessary to the validity of the sale of any such real estate by the executor that the same be ratified by the orphans' court, as aforesaid, in any case where a court of equity of competent jurisdiction has assumed jurisdiction in relation to the sale of any such real estate.

Application of this section.

A power of sale held to have been given executors, and this section applied. *Seeger v. Leakin*, 76 Md. 510.

An alleged implied power of sale in a will denied. *Porterfield v. Porterfield*, 85 Md. 664; *Young v. Twigg*, 27 Md. 630. *Cf. Ogle v. Reynolds*, 75 Md. 150.