

Since this section requires the court to distribute the proceeds of sale to the parties entitled, in a proceeding under this section, where a deed under which a wife and minor children claim is filed as an exhibit, it is not necessary that their claims should be presented by next friends. *Hewitt's Appeal*, 55 Md. 517.

This section referred to in upholding the general powers of equity to appoint a trustee where there is need of one. *Dodge v. Dodge*, 109 Md. 168. And see *Dorsey v. Thompson*, 37 Md. 26; *Davis v. Clabaugh*, 30 Md. 510.

Cited but not construed in *Jones v. Stockett*, 2 Bl. 435; *Ex parte Street*, 1 Bl. 532; *Mackubin v. Brown*, 1 Bl. 410.

As to trustees, see sec. 247, *et seq.*

An. Code, sec. 95. 1904, sec. 91. 1888, sec. 80. 1785, ch. 72, sec. 13. 1826, ch. 159.

98. In all cases where the court shall decree that a deed of any kind shall be executed, a trustee to execute such deed may be appointed, and until such trustee shall execute a deed, the decree itself, if passed in the county where the land lies, shall have the same effect that the deed would if executed; but if passed in another county, the decree shall have that effect if recorded in the county where the land lies within six months from the date thereof.

Under this section, the court can direct the conveyance of an estate or the transfer of a right, but not the making of personal covenants in the absence of the parties to be bound and their privies. Hence, the court may appoint a trustee to execute a renewal of a lease for 99 years, the owners of the reversion being non-residents, but the non-residents cannot be bound by any personal covenant such as one for renewal. Specific performance. *Worthington v. Lee*, 61 Md. 541. And see *Hollander v. Central Metal Co.*, 109 Md. 148 (note secs. 111 and 112); *Warfield v. Valentine*, 130 Md. 593.

This section has no application where a trustee sells property under a decree, but, although the sale is ratified and the purchase price paid, fails to execute a deed to the purchaser. *Sanders v. McDonald*, 63 Md. 508.

A decree directing executors to hold certain city stock as trustees for the use of certain parties, held not to be notice by virtue of this section, of the will of the testator and the interests of the *cestui que trusts* thereunder. *Albert v. Savings Bank of Baltimore*, 2 Md. 167.

A trustee may be appointed to execute an assignment of patent if patentee fails to execute such assignment, as directed by decree. *Ager v. Murray*, 105 U. S. 126.

This section applied in the case of a lunatic. *Owing's Case*, 1 Bl. 407.

Cited but not construed in *Watkins v. Worthington*, 2 Bl. 524.

See notes to sec. 84.

An. Code, sec. 96. 1904, sec. 92. 1888, sec. 81. 1831, ch. 315, sec. 17.

99. Nothing in the testamentary law of this State shall be construed in any manner to affect the general superintending power of the courts having chancery jurisdiction with respect to trusts.

Equity has jurisdiction to superintend the administration of assets, decree distribution amongst legatees and distributees, and to compel executors and administrators to discharge their trust. Design of this section. *Myers v. Forbes*, 74 Md. 360; *Keplinger v. Maccubbin*, 58 Md. 213; *Davis v. Clabaugh*, 30 Md. 511. And see *Barnes v. Crain*, 8 Gill, 391.

This section referred to in affirming the general jurisdiction of equity over guardians. *Corries' Case*, 2 Bl. 500. And see *Barnes v. Crain*, 8 Gill, 391; *Waring v. Waring*, 2 Bl. 674; *Swan v. Dent*, 2 Md. Ch. 117.

This section referred to in construing sec. 97—see notes thereto. *Wright v. Williams*, 93 Md. 69.

This section referred to in construing art. 93, sec. 170—see notes thereto. *Thaw v. Falls*, 136 U. S. 519.

This section construed in connection with art. 93, sec. 271—see notes thereto. *Blumenthal v. Moitz*, 76 Md. 566.

This section referred to in construing art. 93, sec. 299—see notes thereto. *Eichelberger v. Hawthorne*, 33 Md. 595.

See notes to sec. 100.