

An. Code, 1924, sec. 304. 1912, sec. 295. 1904, sec. 292. 1888, sec. 287. 1865, ch. 162, sec. 5.

**306.** For the purpose of ascertaining the value of said real estate, they are hereby authorized to issue a warrant to appraisers in the manner as indicated in sections 115-120 of article 81 of this code; and if, upon the return of said appraisement it should exceed the sum of twenty-five hundred dollars, the said orphans' court shall not proceed to order said sales.  
See notes to sec. 304.

1929, ch. 526.

**307.** Whenever in any deed, will or other instrument executed after July 1, 1929, a power of sale is given to a trustee, no purchaser of property sold under such power by the trustee or his successor in the trust shall be required to see to the application of the purchase money, unless a contrary intention be expressly stated in the instrument creating the trust.

1929, ch. 494.

**308.** Any contingent remainder arising under any deed, will or other instrument executed after July 1, 1929, shall be capable of taking effect, notwithstanding the determination, by forfeiture, surrender, or merger, or otherwise, of any preceding estate of freehold, in the same manner in all respects as if such determination had not happened; and it shall not be necessary to appoint trustees to support such contingent remainder in order to prevent the destruction thereof.  
See sec. 334.

An. Code, 1924, sec. 306. 1912, sec. 297. 1904, sec. 293. 1888, sec. 288. 1828, ch. 174, sec. 1.

**309.** In all cases where two or more trustees have been or shall be appointed by last will to execute any trust, with power on the death of one or more of such trustees to the survivor or survivors, to execute such trust, or to sell or dispose of, and convey any lands, hereditaments or other property, or any estate or interest therein devised to them jointly, if any one or more of such trustees shall in writing, signed by him or them, and attested by a witness, relinquish or disclaim such trust, or refuse to act as a trustee under such will, and deliver such writing to the register of wills having charge of such will for record, the right of such trustee or trustees so relinquishing, disclaiming or refusing to act shall thereupon cease and be determined.

See notes to sec. 310.

See art. 16, sec. 276.

<sup>1</sup> Ch. 581, 1939, repealed sec. 305C of this Article as enacted by ch. 495, 1929 (1935 Supplement) but provided said section shall remain in force as to estates or interests created by deed, etc. between June 1, 1929 and June 1, 1939 and as to wills of testators dying between June 1, 1929 to June 1, 1939.

The following decisions related to sec. 305C before its repeal:

Under this section, legatee of leasehold property should be charged with ground rent between testator's death and the next due date. *Braden v. Coale*, 165 Md. 153.

Cited but not construed in *Brownstein v. N. Y. Life Ins. Co.*, 158 Md. 55.

Section 305C does not apply to dividend which is declared without reference to any period; such a dividend declared after death of owner is payable to life tenant under will of deceased owner and no part payable to executors. *Zell v. Safe Dep. & Tr. Co.*, 173 Md. 518.

This section construed as to income from different kinds of stocks, etc. *Heyn v. Fid. Tr. Co.*, 174 Md. 639.