

to empower the administrator, with the will annexed previously appointed, to execute the trusts of said will in the same manner and to the same extent as the executor or executors appointed by will could or might do.

203. In all cases of sales of real and leasehold estates heretofore made or hereafter to be made by any executor or executors, administrator with the will annexed, or administrator *de bonis non* with the will annexed, or administrator, and the purchaser or purchasers shall fail, neglect, or refuse to comply with the terms of sale, as reported to and ratified by the court, it shall and may be lawful for the Orphans' Courts of the several counties of the State and the city of Baltimore, upon the application of such executor or executors, or administrator *de bonis non* with the will annexed, or administrator, to pass an order requiring such purchaser or purchasers to comply with said terms of sale, or show good cause to the contrary on or before a certain day, to be limited in said order, and upon failure to comply with such terms of sale, or show good cause to the contrary on or before the time limited in such order, it shall and may be lawful for said Orphans' Court to order a resale of such real or leasehold estate at the risk and cost of the purchaser or purchasers, or to enforce compliance of any order passed upon such application by attachment.

1870, c 82
Where purchaser does not comply with terms of sale
43 Md 554

204. The Orphans' Courts of the State shall have concurrent jurisdiction with the several Circuit Courts of this State, as courts of equity, with like powers to adopt rules and regulations, so as to authorize and direct the sales of real estate of intestates, where the appraised value of said real estate shall not exceed the sum of twenty five hundred dollars, and to confirm and ratify said sales in the same manner as such sales are confirmed and ratified by the several Circuit Courts of the State as courts of equity.

1866, c 81
Concurrent jurisdiction of Orphans' Courts in sales of intestates' real estates
4 Md 552,
38 Md 183

205. The Orphans' Courts shall have the authority to appoint a trustee to make such sales, which trustee may be the administrator, or any other person, in the discretion of the court, and who shall give bond, with security, to be approved by the Orphans' Court or the register of wills, and proceed with such sale in the manner usually practiced in the courts of equity in this State; and upon the ratification of such sale by the Orphans' Court, and the payment in full of the purchase-money, and not before, the said trustee shall proceed to convey the title of said intestate to said real estate in the same manner as trustees under the appointment of Circuit Courts are now authorized to do; and the said Orphans' Court may allow the same commissions to any trustee so appointed as are now allowed to a trustee appointed to sell under a decree in equity; *provided*, that nothing herein contained shall apply to any cases now pending in said courts.

1868, c 336
Power to appoint trustee to make sale

Sale and ratification, etc.

Proviso

206. 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 one hundred and eight and

1865, c 162, s 5,
1868, c 81
Valuation of such real estate.