

as the said James, and Susan his wife, if she were now living, could by a conveyance by them executed, acknowledged and recorded according to law. CHAP. 38.

2. *And be it enacted*, That the said James J. Bourne, on the receipt of the purchase money, shall by a good and sufficient deed, duly executed and acknowledged agreeably to law, grant, bargain and sell, make over and convey, unto the said Nathaniel Dare, his heirs and assigns, forever, all the right, title, interest and estate, of the said Margaret A. Bourne, Mary D. Bourne, John D. Bourne and James J. Bourne, the children of the said Susan Bourne, deceased, of, in and to, the land and premises aforesaid. On the receipt of purchase money to give a deed

3. *And be it enacted*, That it shall and may be lawful for the orphans court of Calvert county, and they are hereby required, to ascertain and determine what portion of the whole purchase money for which said land was as above contracted to be sold by the said James, and the said Susan his wife, to the said Nathaniel Dare, the said James J. Bourne is entitled to be allowed for his life estate in said land as tenant by the curtesy, not allowing more than a third, nor less than a seventh; and also what portion of the balance of said purchase money each of the children of the said James, and the said Susan his wife, are respectively entitled for their distributive share thereof. Orphans court to ascertain portions of purchase money, &c.

4. *And be it enacted*, That on the payment of the purchase money, and interest thereon, the said Nathaniel Dare, his heirs and assigns, shall have and hold the said land and premises, free and clear of all claims and demands of the said Margaret A. Bourne, Mary D. Bourne, John D. Bourne and James J. Bourne, and their heirs, forever hereafter. On payment thereof N. Dare to hold said land

5. *And be it enacted*, That the said James J. Bourne, the petitioner, shall give bond, payable to the state of Maryland, with two sureties to be approved of by the orphans court of Calvert county, in the penalty of ten thousand dollars, conditioned for the payment to the said Margaret A. Bourne, Mary D. Bourne, John D. Bourne and James J. Bourne, their heirs and assigns, of their distributive shares of the purchase money aforesaid, and interest thereon from the death of the said Susan, their mother, except so far as the interest aforesaid, or any part thereof, may be applied to the maintenance and education of the said Margaret A. Bourne, Mary D. Bourne, John D. Bourne and James J. Bourne, by the provisions of this act. J. J. Bourne to give bond

6. *And be it enacted*, That such part of the said purchase money as may be the right and estate of the said Margaret A. Bourne, Mary D. Bourne, John D. Bourne and James J. Bourne, shall be invested as the same may be received by the said James J. Bourne, the petitioner, in real estate, or in such fund or stock of the United States, or bank stock of the state of Maryland, bearing interest, as the orphans court of Calvert county may deem most beneficial for the interest of the parties concerned; and that so much of the interest of the said purchase money, or annual proceeds from said real estate, or fund or stock of the United States, or bank stock, as may be necessary for such purpose, shall be equally appropriated and applied, under the direction of the orphans court of Calvert county, to the main- May invest money