

CHAP. 63. take under the last will and testament of a deceased relative, and that the interest of the said William W. Whittington, Charlotte Whittington, John R. Whittington and Robert H. Whittington, would be greatly promoted by appropriating a portion of the money or personal estate devised to them by a relative, for the purpose of retaining the real estate yet unsold, of which their father died seized, thereby greatly increasing in value the real estate which descended to them from their mother—Therefore,

Authority vested.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That upon the filing of a petition for that purpose by the guardian or next friend of the said William W. Whittington, Charlotte Whittington, John R. Whittington and Robert H. Whittington, authority is hereby vested in the orphans court of Worcester county, if in their discretion they shall deem it expedient and conducive to the interests of the said William W. Whittington, Charlotte Whittington, John R. Whittington and Robert H. Whittington, by a decree to be passed in the premises, to appoint a trustee to receive such an amount of the monies or other personal estate of the said William W. Whittington, Charlotte Whittington, John R. Whittington and Robert H. Whittington, as will be sufficient to discharge the balance of the debts of the said late William Whittington, their father, and the said sum or sums of money or personal property to apply to the extinguishment of the balance of the said debts.

Trustee to bond.

SEC. 2. *And be it enacted,* That the trustee to be appointed by the said orphans court, shall enter into a bond to the state of Maryland, conditioned for the faithful performance of the trust reposed in him by the said decree, or to be reposed in him by any future decree or order in the premises, in a penalty to be prescribed by the decree, of and with securities to be approved by the said court, a copy of which bond certified under the seal of the said court, shall be competent evidence in any court of law or equity in this state.

Commissioner to audit accounts.

SEC. 3. *And be it enacted,* That the said orphans court shall have power to appoint a commissioner to ascertain the amount of money which will be necessary to discharge the balance of the debts of the said William Whittington deceased, whose duty it shall be to audit the demands against the said William Whittington, and to ascertain the amount of real and personal assets which has come to the hands of the said trustee, and to report the result of his investigation to the said court.

Property to be delivered to the trustee.

SEC 4. *And be it enacted,* That it shall be the duty of any person or persons, who now have or who may hereafter have any personal property or monies of the said William W. Whittington, Charlotte Whittington, John R. Whittington and Robert H. Whittington, in his, her or their possession, when so ordered and directed by the said orphans court to deliver up to any trustee appointed by the said court under this act, so much thereof as the decree of the said court shall order and direct, and such delivery thereof, shall be as good and