

on one side when there is already a fence on the other, there shall be no gate allowed on said new road.

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CHAPTER 162.

Passed March 24, 1866. AN ACT to add additional sections to Article ninety-three of the Code of Public General Laws; entitled, "Testamentary Law," to come in after section three hundred and twenty-eight of said Article.

Sections added SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the following sections be added to the ninety-third Article of the Code of Public General Laws, entitled, Testamentary Law, to come in after section three hundred and twenty-eight, in said Article:

Lawful for Orphans' Courts.

1. In all cases in which a testator, by will, has directed his or her real estate to be sold for the payment of debts, or for any other purpose, and the executor or executors therein named shall refuse or decline to act, or shall die without executing the powers vested in him or them, it shall and may be lawful for the several Orphans' Courts of this State, upon petition of any party interested, to appoint an administrator *de bonis non* with the will annexed; or 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.

Sales of real estate.

2. That in all cases of sales of real estate heretofore made or hereafter to be made by any executor or executors, or administrator *de bonis non* with the will annexed, 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