

CHAPTER 198.

AN ACT to authorize and empower the Judge of the Circuit Court for Carroll county, sitting as a Court of Equity, to pass a decree for the sale of the lands and premises of which Ferdinand Diffenbach, late of Carroll county, died seized and and possessed. Passed March 6, 1862.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the Circuit Court for Carroll county, as a court of Equity, be and the same is hereby authorized, on a bill filed by a creditor or creditors of Ferdinand Diffenbach, late of said county, deceased, against his heirs at law or other proper parties, to pass a decree for a sale of the real estate of the deceased for payment of his debts; *provided,* that the proper representatives of the said deceased, who are of full age and in the State, shall by writing filed in the cause, expressly waive their right to stay execution of said sale, under the provisions of the act passed at the extra session of April, eighteen hundred and sixty-one, chapter seventeen, and that the Court shall be satisfied that an immediate sale of said real estate will not prejudice the interests of any of the said representatives who shall or may be under age or absent from the State; *and provided,* that in all other respects the Court shall be of opinion that the complainant is entitled to the relief prayed. Court authorized to pass decree.

Provisos.

Sec. 2. *And be it further enacted,* That the Trustee to be appointed by said Court to make said sale, shall have power and authority to make said sale, privately or publicly, as he may in his judgment deem most expedient, having first given public notice, by advertisement for three successive weeks, of the time, place, manner and terms of sale, and that said Trustee be authorized, on the payment of the full purchase money and interest, to convey said real estate and premises to the purchaser, by a good, valid and sufficient deed. Conveyance.

Sec. 3. *And be it enacted,* That this act shall take effect from the date of its passage. In force.