

said intestate, whose personal estate will be exhausted in the payment of his debts;

BE IT ENACTED, by the General Assembly of Maryland, That the said Judith C. Moale and Thomas Moale, and the survivor of them, be and they are hereby authorised and empowered to demise, lease, and to farm let, by indentures of lease, to be duly executed and acknowledged by them according to law, unto such person or persons as shall apply and contract for the same, his, her or their executors, administrators or assigns, all or any part of the real estate of the said Richard Halton Moale, deceased, (first laying off and dividing the same into convenient lots,) for any term not exceeding ninety-nine years, renewable for ever, reserving such annual ground-rent as they, or the survivor of them, may agree for.

And enter into covenants, &c.

III. BE IT FURTHER ENACTED, That the said Judith C. Moale and Thomas Moale, or the survivor of them, be and they are hereby authorised and empowered to make and enter into such covenants and agreements with the tenants leasing the said lots, and their assigns, to be inserted in the said leases, as shall be necessary and proper to enforce the payment of the rents reserved thereon, and to compel the erection of such buildings and improvements on the said demised premises as may be agreed on.

Rents to be made payable to them, &c.

IV. BE IT ENACTED, That the rents reserved as aforesaid shall be made payable to the said Judith C. Moale and Thomas Moale, who shall receive the same and account for them as hereafter directed, until the said John Moale, William Armstead Moale and Richard Moale, or either of them, arrive at the age of twenty-one years, and on the arrival of either of them to the age aforesaid, the said Judith C. Moale and Thomas Moale, or the survivor of them, shall agree with the person of age aforesaid as to the persons who shall pay the rents to such heir of the age aforesaid, and that then the residue of the rents shall be paid to the said Judith C. Moale and Thomas Moale, to be accounted for as aforesaid, until the other child shall arrive at said age, and that there shall be, as to such child, the same agreement as before mentioned, and so on until the whole are of age.

In case of disagreement, court to determine, &c.

V. AND BE IT ENACTED, That in case the said trustees and the heir or heirs aforesaid cannot agree, it shall and may be lawful for the orphans court of Baltimore county, on the application of either of the parties, to determine what part and which of the rents shall be paid to such heir respectively, and that such determination shall be final until the whole arrive to the age aforesaid, but in case on their arrival at age they should not agree to confirm the said division or divisions, that then they shall hold again in common as if the said leases had been made by their deceased father.

Children may sue, &c.

VI. AND BE IT ENACTED, That the respective child to whom the divisions as aforesaid shall be made, shall have full power and lawful authority to sue for a non-compliance with the terms of the lease, and declare as if the same was made to him, and recover in the same manner as if in fact such lease had been actually executed to such child; and in case they do not consent to the division made as aforesaid, that then they, or the survivors or survivor of them, may sue in the same manner until a legal division is obtained, and that then each of them, as to his respective part, shall have the same right to sue and recover as such child had under the first division.

Rents, &c. to be appropriated, &c.

VII. BE IT FURTHER ENACTED, That the rents, issues and profits, arising from the real estate of the said Richard Halton Moale, deceased, which according to this law is directed to be paid to them, or such part thereof as be necessary, shall be appropriated and applied by the said Judith C. Moale and Thomas Moale, or the survivor of them, to the support, education and maintenance, of the said three infant children of the said Richard Halton Moale, for and during their respective minorities; and it shall be the duty of the said Judith C. Moale and Thomas Moale, and the survivor of them, to render an account on oath, annually, to the orphans court of Baltimore county, respecting their trust, in which shall be stated the account of the rents, issues and profits, of the said real estate, and how and in what manner the same shall be applied, and which said accounts shall be from time to time subject to the control of the said orphans court, and when passed, shall be recorded among the proceedings of said court; provided nevertheless, that nothing herein contained shall be deemed or taken to affect or destroy the claim of dower of the widow of the said Richard Halton Moale to the said real estate.