

Passed 8th of
January, 1803.

A Further additional supplement to the act, entitled, An act to direct descents.

Purchasers
may obtain a
division, &c.

BE IT ENACTED, by the General Assembly of Maryland, That in all cases where any of the heirs of a person deceased without will shall sell out their right and title to the intestate's real estate, and the purchaser or purchasers, and the other heir or heirs, cannot agree upon a division, or in case any person entitled to any part be a minor, in order to obtain a division of the estate, the purchaser or purchasers, heir or heirs, may effect the same agreeably to the directions and provisions of the act to which this is a supplement.

Person making
an election to
give bond, &c.

II. AND BE IT ENACTED, That in all cases where the commissioners appointed, or hereafter to be appointed, under the said act, shall determine that the estate cannot be divided without loss to all the parties, and the court shall confirm their return, the person making an election to take the estate at the valuation of the commissioners, at the time of making the election shall severally give bonds, with two or more sufficient securities, to be approved by the court in which the proceedings shall be had, to the other person or persons entitled to the said estate, for their several proportions of the sum of money at which the said estate is valued, which bonds shall bear interest from the date of the said election, and shall be made payable in such instalments as the court shall direct.

In certain cases
court to pass
an order, &c.

III. AND BE IT ENACTED, That if any person or persons entitled to make election to take the estate of any intestate as aforesaid, shall be absent from the county at the time when such election ought to be made, the court shall pass an order, to be published in some convenient news-paper at least four weeks successively, giving notice of the return and confirmation of the commission, and appointing some day in the term next succeeding that in which the said order shall be passed, for such absent person to appear in court, and make his or her election as aforesaid; and on proof being made to the satisfaction of the court of the due publication as aforesaid, and on the non-appearance of the person so absent as aforesaid, it shall and may be lawful for the person next entitled, to come in and make election in the same manner as if the person so absent had have appeared and refused to take the estate at the valuation of the commissioners.

Provision in
case of an
idiot, &c.

IV. AND BE IT ENACTED, That if any person or persons entitled to make election as aforesaid shall be an idiot, *non compos mentis*, deaf and dumb, or otherwise disqualified to declare his or her intention, in such case the person next entitled shall be authorised to make his or her election, in the same manner as if the person disqualified as aforesaid had refused to make election as aforesaid.

Bonds taken to
be a lien, &c.

V. AND BE IT ENACTED, That when any person entitled shall elect to take the estate at the valuation of the commissioners, or when all refuse, and the same shall be sold under the direction of the court, and bonds taken for the payment of the purchase money, the bonds so taken shall remain and be a lien on the lands for the purchase of which they were given, until the said bonds shall be wholly paid.

Commissioners
to make a deed,
&c.

VI. AND BE IT ENACTED, That in all cases where an election hath been made under the act to which this is a further additional supplement by the husband in right of his wife, and the valuation of the land of the said intestate hath been paid, or secured to be paid, unto the heir or heirs of the deceased by the person or persons so electing, the commissioners, or a majority of them, or the survivors or survivor of them, shall, under the direction of the court to which the return or returns shall have been made, make and execute to the person so electing, at his expence, a good and valid deed of bargain and sale in fee-simple.

Passed 8th of
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An ACT for the removal of nuisances from the precincts and neighbourhood of Baltimore.

Preamble.

WHEREAS it hath been represented to this general assembly, that settlers near the precincts of the city of Baltimore have lately been much annoyed by the deposit of carriages, and carcasses of dead animals, in the open air near the public roads, and the dwellings of persons near the precincts, and that by the maintenance of a pack of hounds in a thickly settled neighbourhood, near the said precincts, such neighbourhood is greatly injured and disturbed; therefore,