

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 301 of Article 93 of the Annotated Code of Maryland (1939 Edition), title "Testamentary Law", sub-title "Sales", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

301. In all cases where an executor may be authorized and directed to sell the real estate of a testator, such executor may sell and convey the same, and shall account therefor to the orphans' court of the county where he obtained letters, in the same manner that an executor is bound to account for the sales of personal estate; and the orphans' court may allow such executor a commission on the proceeds of such sale, not less than two nor more than ten per cent; but such sale shall not be valid or effectual unless ratified and confirmed by the orphans' court, after notice by publication given in the same manner as practiced in cases of sales of lands under decrees in equity; and the bond of such executor shall be answerable for the proceeds of sales of the real estate which may come into his possession, to the same extent as if it were personal estate in his hands; in case the purchaser of any such real estate has transferred, or shall transfer his said purchase to another person, it shall be lawful for the orphans' court, upon petition in writing by the original purchaser and such assignee and upon being satisfied that such substitution or transfer may be made without injury to the estate, to pass an order substituting such assignee as purchaser of the said real estate, upon such terms as may be deemed expedient, regard being had to the interests of the estate, and directing the executor to convey the said real estate to the said assignee, his heirs and assigns; provided, however, that it shall not be necessary to the validity of the sale of any such real estate by the executor that the same be ratified by the orphans' court, as aforesaid, in any case where a court of equity of competent jurisdiction has assumed jurisdiction in relation to the sale of any such real estate. Provided, that an executor having full power to sell under the will may transfer and convey all redeemable rents reserved by leases or subleases of land, otherwise known as redeemable ground rents, after due notice from the tenant of an intention to redeem the same, without complying with the requirements of this section as to reporting such conveyance to the Orphans' Court and securing its ratification thereof.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1949.

Approved March 4, 1949.