

CHAP. 291. cept the said land and return one of said reports to the orphan's court of New Castle County, and the other of said reports to such court in Cecil county in the state of Maryland as the legislature of the said state shall hereafter direct; and upon such return being made, it shall be the duty of the said orphans court to assign the said tract of land to the said party or parties entitled, so accepting the same upon their paying or entering into recognizance with surity or surities to be approved by said court to pay to the other parties entitled, their several executors or administrators, their respective just and proportionable shares of the said appraised value of the said tract of land, the costs and expenses being therefrom first deducted.

If none of the parties accept, or neglect to signify to the commissioners in time, &c.

SEC. 4. *And be it further enacted,* That if it shall so happen that none of the parties entitled shall accept the said tract of land at such appraisement as aforesaid, or shall neglect to signify their intention to the said commissioners within the time by them appointed as aforesaid, that it shall be lawful for the said commissioners, or a majority of them, and they are hereby authorized and empowered after public notice to be given by advertisement in one newspaper published in the said county of New Castle, and another in said county of Cecil, (or at such place in the said State of Maryland as may be nearest to said tract of land) for the space of at least thirty days, to sell the said tract of land by public vendue, to the highest and best bidder for the same; *provided,* that in addition to the said publication the said commissioners shall also cause to be set up in ten of the most public places in the said counties of New Castle and Cecil respectively, at least ten days before the time appointed for such sale, notices by them to be signed, describing the said property, and the manner in which the same is to be sold.

Proviso.

After sale the commissioners to make duplicate reports.

SEC. 5. *And be it further enacted,* That after such sale shall have been made, it shall be the duty of the said commissioners to make duplicate reports, and to return the same as is herein before provided, setting forth all their acts and proceedings, and upon such return being made, it shall be the duty of said orphan's court to assign the said tract of land to the purchaser or purchasers thereof, upon payment to the parties entitled, or security as aforesaid, of their respective just and proportionable shares of the purchase money, costs and expenses first deducted.

Party or parties accepting or purchasing said land, &c.

SEC. 6. *And be it further enacted,* That the party or parties accepting or purchasing said tract of land under the provisions of this act, shall by virtue of the assignment herein provided for, take all the estate, title and claim of the aforesaid Francis Segar, (the elder,) in and to the said tract of land, at the time of his death.