

1811.

tament, directed a part of his real estates to be sold for the payment of his debts, but that it would be greatly for the benefit and advantage of the said Anne Gibson and the children of the said Thomas Gibson, deceased, that the whole of the said Thomas Gibson's real estate should be sold together, and the money arising therefrom, after payment of the debts of the deceased, be divided amongst his widow and children; and the said Anne Gibson hath prayed that a law might be passed for that purpose; and this General Assembly being satisfied of the reasonableness of the prayer of the said petition:

BE IT ENACTED by the General Assembly of Maryland, That the said Anne Gibson be, and she is hereby appointed a trustee to sell and dispose of the whole of the real estate whereof her late husband Thomas Gibson, deceased, died seized or possessed; which shall be made for cash or on credit, or in part for cash and the residue on credit, as the said trustee shall think most for the advantage and benefit of the parties interested.

Anne Gibson appointed trustee to dispose of real estate.

2. AND BE IT ENACTED, That the said Anne Gibson, before she shall proceed to sell any part of the real estate of the said Thomas Gibson, deceased, which is not directed to be sold by the last will and testament of the said Thomas Gibson, deceased, she shall lodge with the register of wills for Frederick county, a bond to the state of Maryland, with such security and in such penalty as the orphans' court of said county shall approve and direct, with condition to perform the trust reposed in her by this act, and to apply the money arising from the sale of the real estate aforesaid, as the same shall come to her hands, in such manner as the said court shall order and direct; which said bond, or an office copy thereof, may be put in suit for the use of any person or persons interested in the performance of the condition thereof.

Trustee shall give bond to the state for her faithful performance of trusts reposed.

3. AND BE IT ENACTED, That after a sale shall have been made by the trustee aforesaid of the real estate aforesaid, and the same shall have been reported to, and ratified by the said orphans' court, the said court shall pass an order, directing that so much of the money arising from such sale as shall be necessary for that purpose, the amount whereof shall be ascertained by said court, shall in the first place be applied to the payment of such of the debts of the testator as could not be satisfied out of the personal assets left by the deceased; and if it shall appear to the said court that the said Anne Gibson shall have paid debts

Duties of Orphans' court on a sale being made and ratified. Money arising therefrom—how to be applied. If trustee shall have paid debts due from said estate to a larger amount than personal assets left by the de-