

CHAPTER 46.

Dec. Ses. 1817

Passed Jan 20

An act to appoint Thomas Sellman, of Anne-Arundel County, Trustee for the Sale of certain Land therein mentioned.

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That Thomas Sellman of Anne-Arundel county, be and he is hereby authorised and fully empowered, as trustee, to sell and dispose of at public sale, after such notice, and on such terms and conditions as the chancellor may appoint and direct, all the equitable interest which Elizabeth Ann Cross, Mary Ann Cross, and Rebecca Cross, (minors under the age of twenty-one years) may have or be entitled to, in a tract of land called Selby's Lot, lying and being in Anne-Arundel county, and the same, when sold, and on payment of the purchase money, or ratification by the chancellor, to assign, make over and convey, to the purchaser or purchasers thereof; and the money arising therefrom, after defraying all legal and necessary expenses attending the same, to be applied in the first instance to the payment of the debt contracted by John Cross, the father of the said minors, in purchasing of the said tract of land called Selby's Lot, and the residue of the money, if any, to be applied and vested as the chancellor may direct; *Provided,* that the said residue shall be considered as a part of the real estate of the said John Cross, and shall descend to his heirs at law, and legal representatives, in the same manner as the said real estate would descend if the same had not been sold in virtue of this act.

Trustee to sell

2. *And be it enacted,* That before the said trustee shall make any sale in virtue of this act, he shall file with the register of the chancery court, a bond, in such penalty and with such securities, as shall be approved by the chancellor, conditioned for the faithful performance of the trust reposed in him by this act, to be recorded in the said court, and on an attested copy thereof suit may be maintained by any person interested.

Provido

To give bond.

3. *And be it enacted,* That the chancellor be and he is hereby authorised and empowered, on application of said trustee, to direct and order the terms and conditions of the sale of the equitable interest aforesaid in said land, and to decree the application of the proceeds thereof, according to the provisions of this act.

Chancellor to direct terms of sale.

4. *And be it enacted,* That the bond which said trustee shall enter into for the due and faithful performance of his trust aforesaid, shall be liable and answerable for all and every matter and thing directed and required to be performed by said trustee in virtue of this act.

Bond to be liable.

5. *And be it enacted,* That the said trustee shall make report, on oath, and render a just and true statement of his proceedings in the premises, to the chancellor, and on his neglecting so to do, his bond shall be answerable for any damage occasioned by such neglect, and the chancellor may allow the trustee such compensation for his trouble as to him shall appear proper and reasonable.

To make report of his proceedings.

6. *And be it enacted,* That if the said trustee shall die before the several trusts reposed in him by this act are completed and discharged, then the chancellor shall appoint some fit person trustee in his place, who shall give bond, to be approved by the chancellor, in such penalty and with such security as he shall require, condition-

In case trustee dies Chancellor to appoint another.