

Winchester departed this life intestate, leaving a widow, the aforesaid Sarah, and two infant children, the one named Samuel, of the age of seven years, or thereabouts, the other named Anne, of the age of five years, or thereabouts, to whom the real estate of the said James Winchester hath descended in moieties; that the said real estate consists of the following tracts or parcels of land, situate and lying in Baltimore county, to wit: Reparation, containing one hundred and eighty-six and a half acres, and part of Shawan Hunting Ground, containing three hundred and forty acres, more or less; and that there are erected on the said estate sundry valuable buildings and improvements, near the centre thereof, which will not admit of an equal division between the two children; that the said real estate is also incumbered with a mortgage to the amount of one thousand pounds current money, with ten years interest thereon, and that the same will become due in the year eighteen hundred and nine; and also that there are sundry other debts to a considerable amount due from the intestate, which will nearly exhaust the personal estate, and not leave sufficient stock and hands to carry on the said farm to advantage; that it would conduce greatly to the interest and advantage of the legal representatives of the said James Winchester, if the said real estate was directed to be sold for the benefit of the parties interested, on the terms herein after prescribed; and the facts stated in the said petition appearing to be true, therefore,

C H A P.  
XXXVII.

II. BE IT ENACTED, *by the General Assembly of Maryland*, That the said William Winchester and Williams Owings, or the survivor of them, be and they are hereby authorised and empowered, as trustees, to set up and expose to public sale the lands and premises aforesaid, after giving eight weeks notice thereof in two of the news-papers published in the city of Baltimore, of the time and place of sale, and the said lands to sell, either together or in parcels, to the highest bidder, on the following terms, to wit: The purchaser or purchasers to pay one fourth part of the purchase money at the time of sale, and to give bond, with approved security, bearing interest from the day of sale, for the remaining three fourths, payable in three equal annual payments, the interest payable yearly to the trustees, as such.

W Winchester  
&c may sell the  
lands, &c.

III. AND BE IT ENACTED, That the said trustees, or the survivor of them, on receipt of the purchase money, shall, by a good and sufficient deed, duly executed and acknowledged agreeably to law, grant, bargain and sell, make over and convey, to the purchaser or purchasers thereof, and his, her or their heirs and assigns for ever, all the right, title, interest and estate, of the said Sarah Winchester the widow, and the said Samuel and Anne the children, of the said James Winchester, deceased, of, in and to, the lands and premises aforesaid; which said purchaser or purchasers, and his, her or their heirs and assigns, on payment of the purchase money and interest by them respectively made, shall have and hold the said lands and premises respectively free and clear of all claims and demands of the said Sarah Winchester, Samuel Winchester and Anne Winchester, and each of them, and their heirs, for ever hereafter; provided nevertheless, that the said William Winchester and William Owings, before they proceed to the said sale, shall give bond, payable to the state of Maryland, with two sureties, to be approved of by the orphans court of Baltimore county, in the penalty of fifty thousand dollars, conditioned for the faithful performance of the trust in them vested by this act of assembly, and for a compliance with all and every part thereof.

Convey them to  
the purchaser,  
&c.

IV. AND BE IT FURTHER ENACTED, That the said trustees, or the survivor of them, shall, as soon as conveniently may be after the said sale, return a true and just account thereof, on oath, to the orphans court of Baltimore, there to be recorded, and shall yearly and every year render an account of their proceedings to the said orphans court, to be by them approved of and passed.

And return a  
true account,  
&c.

V. AND BE IT FURTHER ENACTED, That the monies arising from the said sale shall be applied in the following manner; that is to say, to pay off and discharge the mortgage money due thereon, and the residue thereof shall be invested by the said trustees, or the survivor of them, in such funds or bank stock of the United States or state of Maryland, bearing interest, as they, or the survivor of them, may deem most beneficial for the interest of the parties concerned; and one third part of the said interest or annual proceeds from said funds or bank stock, shall be paid to the said Sarah Winchester, the widow, during her natural life, and the interest or annual proceeds of the remaining two thirds shall be equally appropriated and applied by the said trustees, or the survivor of them, to the support, education and maintenance, of the said Samuel and Anne Winchester till their respective arrivals of age; that is to say, till the said Samuel shall attain the age of twenty-one years, and the said Anne shall attain the age of eighteen years.

Monies, how to  
be applied, &c.

VI. AND BE IT FURTHER ENACTED, That the said trustees, or the survivor of them, on the arrival of the said Samuel and Anne Winchester respectively at age, shall account with and pay to them respectively, the one third part of the neat proceeds aforesaid, and on the death of the said

Trustees to ac-  
count, &c.