

of this act, to deliver to such person or persons chargeable with the same, at least thirty days previous to levying such execution or distress, an account, written in words at full length, of the taxes or public dues demanded of him, her or them, with an affidavit annexed, if required, that he hath not received any part thereof, nor any thing as security or satisfaction for the same, more than credit given, to the best of his knowledge.

C H A P. LXV.

IV. BE IT ENACTED, That the said Benjamin Ray, before he derives any benefit from or under this act, shall lodge a copy of his collection books in the sheriff's office of Montgomery county, to be opened for the inspection of all persons interested in the same.

Books to be lodged, &c.

C H A P. LXVI.

An ACT authorising and directing the sales of certain lands lying in Worcester county, belonging to William Fleming, deceased.

Passed 20th of January, 1808.

WHEREAS it is represented to this general assembly, that William Fleming, late of Worcester county, about two years since removed to the state of New-York, with an intention of residing therein, and having purchased a tract of land in the aforesaid state, and in some short time thereafter died intestate, leaving a widow and two small children, and he the said William having made no provision for the payment of the said lands purchased in the state aforesaid, and owning lands in Worcester county, in the state of Maryland, which he intended to have sold in order to meet the payment of the lands purchased as aforesaid in the state of New-York; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That the orphans court of Worcester county shall have full power and authority, upon receiving a petition from Sally Fleming, of the state of New-York, widow of the said William Fleming, deceased, praying the sale of such lands as the said William Fleming died seized of in said county, and the court being fully satisfied that the same will be of great advantage to the heirs of the said William Fleming, deceased, shall have full power and authority to order and direct a sale of the lands aforesaid, in such manner, and on such terms, as they may think proper, and shall appoint a trustee or trustees to superintend the sale of the said lands of the said William Fleming, deceased; and which said trustee or trustees is hereby authorised, upon the whole of the purchase money being paid up and satisfied, to convey by deed, such as is usual, to the purchaser or purchasers, all the right and title of the said William Fleming, deceased, of, in and to, the aforesaid land, and so as not to affect elder or more ancient surveys; and the said trustee or trustees are further directed to produce proper vouchers of the debts due from the said William Fleming, deceased, for the lands aforesaid purchased in the state of New-York, and thereupon the orphans court is hereby further authorised and empowered, to direct the said trustee or trustees to pay over to the administratrix of the said William Fleming, deceased, or order, such sum or amount as may appear to them to be due for the land purchased by the said William Fleming in the state of New-York, deducting first the proper cost and expenses for the sale of the lands aforesaid.

Court may order a sale, &c.

III. AND BE IT ENACTED, That any sale or decree of the land aforesaid, and conveyances thereupon made and done under the directions and authority of the orphans court of Worcester county, by the trustee or trustees aforesaid, shall be as good and valid in law as if the same had been made and done by the said William Fleming in his life-time.

Sale to be good, &c.

IV. AND BE IT FURTHER ENACTED, That before the trustee or trustees shall proceed to act under the authority of the court aforesaid, and agreeably to the provisions of this law, the trustee or trustees shall give bond to the state of Maryland, with such security as the said court shall think proper, for the faithful performance of the trust reposed in them, and the said bond shall be filed in the clerk's office of Worcester county, there to be recorded.

Trustee to give bond, &c.

V. AND BE IT ENACTED, That out of the money arising from the sale of the lands of the said William Fleming, deceased, in Worcester county, after all cost and charges shall have been paid under the directions and authority of the orphans court aforesaid, that the said court may and shall, at their discretion, allow the said Sally Fleming, widow of the said William Fleming, deceased, a sum of money not exceeding one seventh part of such balance, and that the said court is hereby authorised and empowered to direct the trustee or trustees to purchase shares of bank stock in the Farmers Bank of Maryland, with such balance of money as may remain, after deducting the aforesaid allowance made to the aforesaid widow, arising from the said sale, in the name and for the use of Thomas Fleming and Nancy Fleming, heirs of the said William Fleming, deceased, and that the yearly dividends shall be paid over to the trustee or guardian of said children for their education and main-

Money, how to be applied, &c.