

C H A P. CXXXV.

ered, to sell and dispose of at public auction, after such notice and on such terms and conditions as they may deem most advantageous for those concerned, of the real estate of said Isaac Handy, and upon payment of the purchase money, or having the same secured to be paid to their satisfaction, to transfer and convey, by good and valid deed or deeds, to the purchaser or purchasers thereof, and the money arising therefrom, after defraying all legal and necessary expenses attending the same, to apply as follows, to wit: To pay over to such of said petitioners as shall have arrived at the age of twenty-one years, their proportion of said purchase money, and to invest the proportion of such of said petitioners as may not have arrived at the age of twenty-one years, in such funds, or in such manner, as they may deem most beneficial for those entitled to receive the same, until they shall arrive at the age of twenty-one years, when they shall transfer to said petitioners, as they respectively arrive at age, their proportion of the funds or securities in which they may have invested the same.

To pay over to the widow &c.

III. BE IT ENACTED, That the said William Handy and James Ritche, or the survivor of them, be and they are hereby authorised to pay over to Betsy Handy, the widow of said Isaac Handy, such sum as they may be of opinion is equivalent to her right of dower, and which she may be willing to accept, or to secure the payment of one third of the interest of the neat amount of said purchase money to the said Betsy Handy, during her life, in lieu of her dower in said real estate.

Survey &c the real estate, &c.

IV. BE IT ENACTED, That the said trustees, or the survivor of them, be and they are hereby authorised to survey, lay out and divide, the said real estate, in such manner, and to sell the same in such parcels, as they may deem most desirable.

And enter into bond, &c.

V. BE IT ENACTED, That before said William Handy and James Ritche proceed to act as trustees as aforesaid, by virtue of this act, they shall enter into bond to the state of Maryland, with such securities, and in such sum, as the orphans court of Somerset county may order, conditioned for the faithful performance of the trust reposed in them by this act, which said bond shall be filed and recorded in the orphans court of Somerset county, and any person interested in the property of this trust, may put said bond in suit for their use, and a certified copy of said bond, when in any such suit be received in evidence in the same manner as the original bond might be.

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A Further additional supplement to the act, entitled, amending, and reducing into system, the laws and regulations concerning last wills and testaments, the duties of executors, administrators and guardians, and the rights of orphan and other representatives of deceased persons.

BE IT ENACTED, by the General Assembly of Maryland, That after the first day of October next, the crop growing upon land devised by any deceased person, and by him or her executor or administrator, shall be deemed and considered as assets in the hands of an executor or administrator, in the same manner as if that the crop growing upon land not devised is.

II. AND BE IT ENACTED, That if any security of a guardian, appointed by virtue of any act, in which this is a supplement, shall conceive him or herself in danger of suffering from such security, he may apply to the orphans court by which such guardian was appointed, and may call on such guardian to give counter security, and if the said guardian shall not, within a reasonable time, give such counter security, the said court may revoke the appointment of such guardian, and appoint a new guardian; and in case the guardian whose appointment is aforesaid, shall refuse or neglect, in a reasonable time after demand, to deliver over to such guardian the property of the ward, the said court may compel the same by attachment, and may direct the bond of such displaced guardian to be put in suit.

III. AND BE IT ENACTED, That it shall and may be lawful for the several orphans courts in this state to call upon any executor or administrator, to whom letters testamentary or of administration have been by them respectively granted, to give new security, to be approved of by such court, and if such executor or administrator shall refuse or neglect to give such new security within a fixed reasonable time, the said court may revoke such letters testamentary or of administration, and appoint a new administrator or administrators, and in case such executor or administrator shall refuse or neglect, in a reasonable time after demand, to deliver over to such new administrator or admini-

Courts may call upon executors &c.