

not pass through any house, yard, garden, meadow or orchard, unless with the consent of the owner or owners thereof, nor shall the said road be laid out or opened through any field in which grain, hemp, flax, tobacco, or other cultivated vegetables, shall be growing, until after the season for collecting and securing the crop.

V. AND BE IT ENACTED, That the said road, when laid out, opened, and returned to the clerk of Frederick county court, as aforesaid, shall not be deemed to be a public road to be kept in repair at the expense of the county, unless the said road shall have been opened, cleared, improved, and made a good and sufficient road, of a proper width, and so certified to be by the commissioners aforesaid, or a majority of them.

C H A P. XLI.

An ACT to appoint Trustees for Nathan Griffith, of Baltimore County, and for other purposes.

Passed 6th of  
Jan. 1810.

WHEREAS it is represented to this general assembly, that Nathan Griffith, late of Baltimore county, deceased, hath left one son, named Nathan Griffith, who is an idiot, and that the estate devised to the said idiot is unproductive and waste; therefore,

II. BE IT ENACTED, by the General Assembly of Maryland, That the orphans court of Baltimore county for the time being, may and they are hereby authorised and required, to appoint one or more person or persons to be trustee or trustees of the estate of the said Nathan Griffith, for such time, and upon such terms and conditions, as the said court shall determine.

III. AND BE IT ENACTED, That if, in the opinion of the said court, the estate of the said Nathan Griffith might be converted into other property, which shall be more advantageous to the said Nathan Griffith than that which he now possesses, the said trustee or trustees shall set up and expose to sale, at public vendue, all or any part of the said estate which the said court shall direct, and on such terms and conditions as they shall determine; which sale or sales being approved and confirmed by the said orphans court, and the purchase money being paid, or secured to be paid, in such manner as the said court may have directed, the said trustee or trustees shall execute good and sufficient deed or deeds to convey the same, and the said deed or deeds shall be as valid, to all intents and purposes, as if they had been made and executed by the said Nathan Griffith, he being of sound mind.

IV. AND BE IT ENACTED, That the said trustee or trustees shall have full power and authority, under the direction of the said orphans court, to ask, demand, sue for and recover, of and from all and every person, or manner of persons, the legacies, rents, arrearages of rents, interests and dues of any kind whatever, owing and payable to the said Nathan Griffith, and the receipts and acquittances of such trustee or trustees, in whole or in part, shall be as valid, to all intents and purposes, as if the same were given by the said Nathan Griffith, he being of sound mind.

V. AND BE IT ENACTED, That the said trustee or trustees shall apply the monies received for legacies, rents, arrearages of rents, interests and dues, except the sums received from the sale of the said Nathan Griffith's estate, to the payment of all just demands now standing against the said Nathan Griffith, for the necessary preservation of his present estate and personal maintenance, and public taxes or dues, the said demands being first exhibited to, and allowed and passed by, the said orphans court, and if the same shall be inadequate to discharge such demands, then the said trustee or trustees shall apply so much of the monies received from the sale of the said Nathan Griffith's estate, to the payment of the balances of such demands, as shall be sufficient to satisfy the same.

VI. AND BE IT ENACTED, That after deducting the amount of such payments and the costs of sales, together with such commission as the said orphans court may have allowed to the said trustee or trustees, he or they shall forthwith lay out all the monies remaining in his or their hands, under the direction of the said court, in such other real estate, ground-rents, public stocks or funds, as the said court shall judge most likely to produce a permanent income for the future maintenance of the said Nathan Griffith, and direct the said trustee or trustees to invest the money arising from said sales for that purpose; and all the conveyances, titles, and evidences of property or effects, so purchased and made or assigned to the said Nathan Griffith, to deliver over to the said orphans court, or to such person or persons as they shall appoint to receive the same, in trust for the said Nathan Griffith.

VII. AND BE IT ENACTED, That the said orphans court, and their successors, may at all times hereafter, during the natural life of the said Nathan, at their discretion, by the appointment of a