

ington county, shall have full power and authority to sell and dis- Dec. Ses. 1816
 pose of at public sale, a certain lot or portion of ground situate
 in the environs of Hagers's-Town, in Washington county, of
 which the Reverend Solomon Shafer, late of Washington county,
 deceased, died possessed in fee of, and to convey the same to the
 purchaser or purchasers by a good and sufficient deed, and to
 pay over to Eliza Shafer, the mother of the said Charles Shafer,
 the one seventh part of the amount of such sale, and the residue
 to be placed out at interest for the use and benefit of the said
 Charles Shafer, his ward.

2. *And be it enacted,* That any conveyance or deed made by
 the said Theobald Eighleberner, pursuant to the directions of the Conveyance to
be made.
 above act, shall and is hereby declared to be valid and effectual
 in law, to pass and convey all the right, title and interest, both at
 law and equity, of the said Eliza Shafer, and Charles her son,
 widow and heir of the Reverend Solomon Shafer, deceased, in
 and to the premises aforesaid, to the purchaser or purchasers
 thereof, and the orphans court of Washington county shall al-
 low to the said Theobald Eighleberner, guardian, such sum of
 money out of the proceeds of said sale for the execution of said
 trust, as to them seem equitable and just.

3. *And be it enacted,* That the said Theobald Eighleberner Amount to be
returned to
orphans court.
 shall return to the orphans court of Washington county, on oath,
 the amount of the money received for the sale of said lot, and
 the said sale shall not be valid until the same shall be ratified by
 the said orphans court.

4. *And be it enacted,* That the said Theobald Eighleberner, Bond.
 before he proceeds to act by virtue of this appointment, shall
 give bond to the state of Maryland, in such penalty as the said
 court shall prescribe, and with such security as the said court
 shall approve, for the faithful performance of the trust reposed
 in him.

5. *And be it enacted,* That the said bond shall be filed and to be filed.
 recorded in the office of the register of wills for Washington
 county, and a copy of the said bond, under the seal of office,
 shall be received in evidence in any court of law or equity in
 this state, and any person interested in the performance of the
 condition thereof, shall have a right to a copy of such bond, pay-
 ing the usual fees therefor; and an action may be main-
 tained, in the name of the state, for the use of the party inte-
 rested and apprehending himself or herself aggrieved, and
 judgment may be by such party recovered in such action
 for the damages by him or her actually sustained, and the plea
 of *non est factum* shall not be received to any such action,
 unless the same is verified by the affidavit of the defendant
 or defendants tendering the same.

CHAPTER 196.

An act for the benefit of Mary Comegys, and others. Passed Feb. 3.

WHEREAS, it is represented to this general assembly, by the Proa nble.
 widow and surviving executrix, and the representatives and heirs
 of Samuel Comegys, late of Kent county, deceased, that some of
 the heirs of the deceased are now minors, and the personal estate