

CHAP. 173. hereby vested in the said company for ever, to be held as tenants in common, in proportion to their respective shares.

CHAP. CLXXIV.

Passed Feb 14 1821 An Act Supplementary to the Act for 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 Orphans and other Representatives of deceased persons.

Executors, &c to take possession of estate and fulfil duties of guardians, &c

1. *Be it enacted by the General Assembly of Maryland, That* whenever any person shall die seised or possessed of any lands, tenements or hereditaments, situate and lying within the state, and any of the persons entitled to such lands, tenements or hereditaments, or any part thereof, shall be under age, and without a guardian appointed by last will and testament, or by the orphans court, it shall be the duty of the executor or executors, administrator or administrators, as the case may be, of such deceased, as soon as letters testamentary or of administration shall be committed to him, her or them, and not before, to take possession of such estate, and to discharge and fulfil all the duties of guardian to such minor until a guardian shall be regularly appointed by the orphans court, or until the said minor shall arrive at age, which ever shall first happen, and shall account with the said court in like manner as guardians are by law required to account, and subject to the like control and authority of the court in all respects whatever.

When guardians are appointed executors, &c to render an account of the manner in which they have discharged their duties, &c

2. *And be it enacted, That* when a guardian or guardians shall be appointed to such minor, or the said minor shall arrive at age, which ever shall first happen, it shall be the duty of the aforesaid executor or executors, administrator or administrators, as the case may be, to render to the orphans court an account, on oath, of the manner in which the duties imposed by this act have been discharged, in the same manner and upon the same principles as guardians are now required by law to settle their accounts, and subject to the like control and authority of the court in all respects whatever, which said account shall be separate and distinct from the administration of the personal estate of the said deceased; and the orphans court shall thereupon pass an order directing such executor or executors, administrator or administrators, as the case may be, to pay over to the guardian or guardians to be appointed as aforesaid, or to the person entitled, as the case may be, any money remaining in his, her or their hands, belonging to such minor, which shall have arisen from the profit of the real estate belonging to the said minor, and also to deliver over to such guardian or guardians, or person entitled, as the case may be, the real estate of such minor; and upon the neglect or refusal of the executor or executors, administrator or administrators, to obey such order, or to return an account as herein before directed, his, her, or their testamentary or administration bond, as the case may be, shall be liable to be sued by such guardian or guardians, or person entitled as aforesaid, and the orphans court may moreover proceed against such executor or executors, administrator or administrators, as the case may be, by attachment and sequestration.

When letters of administration do bonis non are granted, bonds, notes, &c to be delivered over, &c

3. *And be it enacted, That* wherever letters of administration *de bonis non* have heretofore or may hereafter be granted by the orphans court of any county in this state, the said court is hereby