It was read the second time.

Mr. Mayer submitted the following report:

Which was read.

The committee on judicial proceedings to whom was referred the petition of Sarah M. Lawrence and her children, respectfully report:

That the petition prays that a sale be authorised of certain real estate in Frederick county of great value and extent and containing a Mill and Factory. The property was devised to the petitioner Mrs. Lawrence for life with remainder to all the children she might have; and is most providently placed by the will of the testator Mr. Shriver in trust for carrying into effect his liberal views towards his child and grand children.

There is nothing capricious or unaccommodating in these dispositions of the will; and it does not appear that subsequent events have given them an operation in the least unfavorable to the comfort and prosperity of the family. On the contrary, the only consideration for a sale, apart from views of uncertain expediency, presented in the petition is, that the wear and use of the mill may depreciate it, a difficulty which, it is conceived, may be easily obviated by repairs for which, it is presumed, the earnings of the mill may afford adequate means. The ultimate object of the petition is to have the proceeds of sale of this real estate laid out in *western lands*. This is an appropriation which would place the bounty of the testator in a shape not contemplated by him and subject the fund to a jurisdiction whose proceedings with the property we cannot anticipate nor control, and which will be foreign to that to which the testator must have looked for the care of the estate which he so cautiously and anxiously dedicated to his daughter and her children.

So far as it is safe and salutary for any disposition to be made of the estates of infants in remainder or reversion, the committee believes that the act of 1816 ch. 154 s 13 as explained by the act of 1831, ch. 311 s 9, has already provided. The present case of the children of Mrs. Lawrence is not embraced in it because the executors devise in remainder embraces all future children of Mrs. Lawrence