

280. In all cases where an executor may be authorized and directed to sell the real estate of a testator, such executor may sell and convey the same, and shall account therefor to the Orphans' Court of the county where he obtained letters, in the same manner that an executor is bound to account for the sales of personal estate; and the Orphans' Court may allow such executor a commission on the proceeds of such sale not less than two nor more than ten per cent. But such sales shall not be valid or effectual, unless ratified or confirmed by the said Orphans' Court after notice by publication given in the same manner practised in cases of sales of lands under decrees in equity; and the bond of such executor shall be answerable for the proceeds of sales of the real estate which may come into his possession, to the same extent as if it were personal estate in his hands.

281. In all cases where two or more trustees have been or shall be appointed by last will, to execute any trust with power on the death of one or more of such trustees to the survivor or survivors, to execute such trust, or to sell or dispose of, and convey any lands, hereditaments or other property, or any estate or interest therein devised to them jointly, if any one or more of such trustees shall in writing signed by him or them, and attested by a witness, relinquish or disclaim such trust, or refuse to act as a trustee under such will, and deliver such writing to the Register of Wills having charge of such will for record, the right of such trustee or trustees so relinquishing, disclaiming or refusing to act, shall thereupon cease and be determined.

282. The remaining trustee or trustees appointed by said will who shall assent to act, shall be as fully capable and entitled to execute the trusts under such will, and to make all deeds, and do all necessary acts for that purpose as if the trustees so relinquishing, disclaiming or refusing to act had died, and the trustee or trustees so assenting to act had survived him or them.

283. No such relinquishment, disclaimer or refusal to act by any trustee, shall be construed to release or impair his right or claim to any devise, legacy or bequest derived or bequeathed to him by such will for his own use, unless such devise, legacy or bequest shall be expressly declared in the will to be as a compensation for his services as trustee.