

139 A. Whenever an account is passed in the orphan's court, either by an executor or administrator, whereby distribution of chattels real is made to the legatees thereof, or to the parties thereto entitled in the course of distribution, the orphan's court shall, upon the passing of such account, pass an order directing the executor or administrator to convey such chattels real to the distributees or legatees thereof; and the executor or administrator shall thereupon so convey the same to such distributees or legatees by a proper deed, to be executed, acknowledged and recorded according to law.

Distribution of
chattels real.

Approved March 7, 1884.

Chapter 50.

AN ACT to repeal, amend and re-enact section forty-one of article forty-seven of the Code of Public General Laws, title "Inheritance," respecting election, when the estate is divided into parts less than the number of heirs.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That section forty-one of article forty-seven of the Code of Public General Laws, title "Inheritance," be and the same is hereby repealed, amended and re-enacted, so as to read as follows:

Repealed,
amended and
re-enacted.

SEC. 41. If the estate cannot be divided into as many parts as there are heirs, but exists in separate parcels, or can be divided into parts less than the number of heirs without loss or injury, then it shall be divided into as many parts as it is susceptible of, and each parcel shall be separately valued; then upon the ratification of the court of such division and valuation, the person first entitled to election, under the provisions of this article, shall have the first choice of one of the parcels at the valuation, and the next in order the second choice, and so on in regular succession of right, until all the parts are taken or refused.

Divided in-
to susceptible
parts.

Approved March 7, 1884