

CHAPTER 23.

CHAP. 23.

An act for the benefit of the Widow, Devisees and Heirs, of Valentine Bost, late of Frederick County, deceased, and the Heirs of such Devisees as have died.

Passed Dec 22

Preamble.

WHEREAS Valentine Bost, late of Frederick county, deceased, by his last will and testament, bearing date the twenty-sixth day of March, in the year one thousand eight hundred and nine, did devise all his real estate to sundry persons in said will mentioned, and it appearing that the whole of such devisees as are living, the heirs of such devisees as are dead, that are of full age, and the guardians of such as are minors, have consented to the sale of such lands; therefore,

County court to appoint a trustee to dispose of real estate of Valentine Bost, &c.

Sec. 1. *Be it enacted by the General Assembly of Maryland, That* the county court of Frederick be, and they are hereby authorised and empowered, to appoint a trustee or trustees to sell and dispose of all the real estate of Valentine Bost, in Frederick county, at such time and upon such terms as shall be prescribed by the said county court, and that upon the payment of the whole of the purchase money, and not before, the said trustee or trustees shall convey the said real estate, (one parcel thereof being part of a tract of land called "Errors Corrected," and one other parcel, being part of a tract called "Pretty Improvement,") to the purchaser or purchasers, which conveyance being duly made, shall be sufficient to convey all the right, title, claim and interest, of, in and to, the said real estate, which may have come by devise or descent to the devisees and heirs of said Valentine Bost, and by devise or in right of dower to the widow of said Valentine Bost.

Trustee to give bond.

2. *And be it enacted, That* the trustee or trustees to be appointed by the said county court, before he or they proceed to exercise any of the powers to be vested in said trustee or trustees by virtue of said appointment, shall give a joint and several bond to the State of Maryland, in such penalty, and with such security, as the county court of said county shall direct, for the faithful performance of all and singular the powers by this act directed to be vested in him or them; which bond shall be recorded by the clerk of the said county court, and the same, or an office copy thereof, may be put in suit by any person or persons interested in the performance of the conditions of the same.

No sale to be valid until approved of by court, &c.

3. *Provided always, and be it enacted, That* no sale made by the trustee aforesaid, by virtue of this act, shall be good and valid, until the same be approved of by the county court aforesaid; and in case such sale shall be rejected by the said court, the said trustee or trustees shall proceed to sell again, and so from time to time until such sale shall be approved of by the said county court,

Proceeds of sale, how to be paid.

4. *And be it enacted, That* the money arising from said sale, which may belong to the said widow, heirs or devisees, shall be paid to the said widow, and to such heirs or devisees as may be of full age, as soon as conveniently may be after the said trustee or trustees may have received the same, and to the guardian or guardians of such as are minors, to receive and have the disposal thereof until such minors shall arrive at lawful age, at which times the same shall be transferred and paid over to them in their respective proportions; *Provided, that* in case of the death of any of the said heirs, before he, she or they, shall have attained such age, such

Proviso.