

aforesaid, and also all the books, bonds, notes and evidences of debt or funds, and also all title to property or stock which belong to, or are due, or which become due to the ward in the possession of the guardian, whose guardianship may have been revoked as aforesaid, and also pay over to the remaining guardian, if there be one, if not, then to the new guardian, all the money due to him as guardian of the ward, the said court may compel the delivery and payment over as aforesaid by attachment and sequestration, of the property of the party whose guardianship may be revoked, and may direct to be put in suit the bond of the guardian, whose guardianship shall have been revoked as aforesaid.

On failure.

Sequestration and suit.

Sec. 9. *And be it enacted*, That any allowance which may have been heretofore made, or which may hereafter be made by any orphan's court in this state to a guardian for the clothing, support, maintenance, education, or for other expenses incurred by the guardian, for his ward, or his estate, and which shall have accrued subsequent to the death of the father of such ward, and before the guardian may have been appointed or given bond, such allowance shall have the same effect and operation in law to all intents and purposes, as if such expense of the ward or his estate had accrued, and become due subsequent to the time of the appointment of such guardian or of his giving bond.

Allowance to guardian for expenses of ward.

Sec. 10. *And it be enacted*, That in all cases where an executor may be authorised and directed to sell the real estate of a testator or testatrix, such executor may sell and convey the same, and shall account therefor to the orphan's court of the county, where he or she obtained letters in the same manner, that an executor is now bound to account for the sales of personal estate, ordered by the orphan's court, and the said court may allow such executor a commission on the proceeds or sales of such real estate, not exceeding five per cent, where the amount of sales of real estate exceed three thousand dollars in the same manner as if it were personal estate, but such sales shall not be valid or effectual, unless ratified and confirmed by the said orphan's court, after notice by publication given in manner as is practiced in cases of sales of lands under decrees in chancery.

Executor empowered when directed to sell real estate.

Account therefor.

Commission.

Subject to ratification and confirmation.

Notice required.

Sec. 11. *And be it enacted*, That the bond of an executor or executrix or guardian, which may be hereafter executed, shall be answerable for the proceeds, or sales of the real estate of the testator, testatrix or ward, as the case may be, or any part thereof, which may come into his or her possession in the same manner, and shall be liable to the same extent as if it were personal estate in his or her

Bonds of executor and guardians answerable for proceeds of sale of real estate.