

and shall decree a sale only in those cases where, under all circumstances, the court shall be satisfied that a sale would be for the interest and advantage of the infant or infants. CHAP. 133.

See 1816, ch. 154.

3. AND BE IT ENACTED, That the said commissioners, or a majority of them, before they proceed to act, shall take an oath, or affirmation, that they will impartially ascertain the quality and value of the said lands, with the advantages and incumbrances attending the same, and a true report thereof make to the best of their skill and judgment. Before they proceed to act to take an oath

CHAP. CXCIII.

An Act to declare and enlarge the powers of the Court of Chancery, and the County Courts as Courts of Equity. Passed Feb 17 1819
Lib. TH. No. 3, fol.

414.

1. BE IT ENACTED, by the General Assembly of Maryland, That appeals from orders of the said courts, as referred to in the twenty-seventh section of the act of seventeen hundred and eighty-five, chapter seventy two, be confined to decretal orders. Certain appeals to be confined to decretal orders.

2. AND BE IT ENACTED, That the provisions of the fifth section of the said act, and of the several acts supplementary thereto, in relation to the sales of real estate, be extended to defendants of full age. Certain provisions of former acts extended to defendants of full age.

3. AND BE IT ENACTED, That the provisions of the fifteenth section of the said act, be extended to the clerk employed on every commission. Also to clerk employed on every commission

4. AND BE IT ENACTED, That under the twenty-fifth section of the aforesaid act of seventeen hundred and eighty-five, it shall not be necessary to make any demand of a compliance with the decree, (as the practice has been,) to entitle the party obtaining the decree to process thereon. Not necessary to make demand of compliance with decree, to entitle party to process

5. AND BE IT ENACTED, That in cases wherein a power is given to take bills *pro confesso*, or to issue a commission *ex parte*, a decision may be made against the defendants absent making default, on the testimony taken between the parties, instead of issuing such commission. In cases where a power is given to take bills pro confesso, decision may be made against defendants making default, on testimony taken between parties.

6. AND BE IT ENACTED, That in addition to the powers given in regard to sheriffs and other officers, by the twenty-third section of the said act, the provisions of the act of seventeen hundred and ninety-seven, chapter forty-three, be extended to the court of chancery, and the county courts as courts of equity. Provisions of act of 1797 extended to court of chancery and county courts as courts of equity

7. AND BE IT ENACTED, That the provisions of the act of eighteen hundred and sixteen, chapter one hundred and fifty-four, be extended to equitable titles to real estates. Provisions of act 1816 extended to equitable titles to real estates

8. AND BE IT ENACTED, That a sale of real estate may be decreed in the discretion of the chancery court, and the county courts as courts of equity, in order to save the personal, with the consent of all parties of full age, and the actual guardian of minors. Sale of real estate may be decreed to save the personal, with the consent of parties

By 1819, ch. 183, where any real estate is decreed to be sold under this section, and a widow is entitled to any right of dower in such real estate, the trustee, (with the consent in writing of the widow,) shall sell the estate free and disencumbered of any right of dower of the widow, and in consideration thereof the chancellor, &c. shall award to the widow such proportion of the purchase money as he shall