

LAWS OF MARYLAND.

for State taxes erroneously paid by her to the State of Maryland for the years of 1894, 1895, 1896, 1897, 1898 and 1899, the same having received the recommendation of the officers of the Treasury Department of this State.

SEC. 2. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved April 8, 1904.

CHAPTER 535.

AN ACT to repeal and re-enact with amendments Section 116 of Article 16 of the Code of Public General Laws of Maryland, title "Chancery," sub-title "Partition," as amended by Acts of 1900, Chapter 205.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 116 of Article 16 of the Code of Public General Laws of Maryland, title "Chancery," sub-title "Partition," as amended by Acts of 1900, Chapter 205, be and the same is hereby repealed and re-enacted so as to read as follows:

Re-enacting a section.

Court may decree a partition of land, etc.

116. The court may decree a partition of any lands, tenements or hereditaments, or any right, interest or estate therein, either legal or equitable, on the bill or petition of any joint tenant, tenant in common, or any parcener or any concurrent owner, whether claiming by descent or purchase, or if it appear that said lands, tenements or hereditaments, or right, interest or estate thereon, cannot be divided without loss or injury to the parties interested, the court may decree a sale thereof, and a division of the money arising from such sale among the parties, according to their respective rights; this section to apply to cases where all the parties are of full age and to cases where all the parties are infants, and to cases where some of the parties are of full age and some infants, and to cases where some or all of the parties are *non compos mentis*, and also to apply to cases where any or all of the parties are non-residents; and any party, whether of full age, infants or *non compos mentis*, may file a bill under this section, an infant, by his guardian or procheinami, and a *non compos mentis* by his committee, and if any contract hath been made for the sale of any lands, tenements or hereditaments held as aforesaid, or any interest therein for or on behalf of any infant, idiot or person *non compos mentis* which the court, upon hearing aforesaid and examination into all the circumstances, shall think for