

Prior to the adoption of this section, an application for an amendment rested in the sound discretion of the chancellor, and there was no appeal. *Thomas v. Doub*, 1 Md. 252.

A bill for a sale of property under sec. 152, may be converted by amendment into a bill for partition. *Watson v. Godwin*, 4 Md. Ch. 28.

As to when a defendant who has answered the original bill, need not answer the amended bill, see *Fitzhugh v. McPherson*, 9 G. & J. 51. And see *Thomas v. The Visitors, etc.*, 7 G. & J. 369.

For a case involving the nature of an amended bill; how leave to amend may be obtained; and in what manner the amendment should be made, see *Walsh v. Smyth*, 3 Bl. 1.

For a case involving the effect of an amendment of a bill of complaint upon an injunction, see *Binney's Case*, 2 Bl. 99.

An answer held to be properly amendable under this section. *Bowie v. Stone-street*, 6 Md. 433.

As to amendment of the bill, see also sec. 176.

As to the effect of failure to amend after leave, see sec. 187.

As to amendment upon the death of parties, see sec. 224.

As to setting for hearing the question of the want of proper parties, and in case the plaintiff fails so to do, his not being entitled to amend as of course, see sec. 200.

As to amendments at law, see art. 75, sec. 39, *et seq.*

Re amendment of proceedings to enforce mechanic's liens, see art. 63, sec. 41.

An. Code, sec. 18. 1904, sec. 17. 1888, sec. 17. 1841, ch. 315.

18. In any suit in chancery where any of the parties are under age, *femes covert*, of unsound mind or non-residents, the proceedings may be amended by making new parties or otherwise, and it shall not be necessary to have any new pleadings or proofs in such cases of amendment, unless the court shall deem such new pleadings and proofs necessary to promote the ends of justice, or unless such new party desires to plead or objects to the proof.

See sec. 288.

Auditor.

An. Code, sec. 19. 1904, sec. 18. 1888, sec. 18. 1875, ch. 72, sec. 17. 1814, ch. 94, sec. 4. 1870, ch. 74.

19. Every judge of a court of equity may appoint, during his pleasure, a person of integrity, judgment and skill in accounts, to be auditor for the court of which he is judge, who shall, before he enters upon the duties of his appointment, take an oath, to be administered by the judge making the appointment, well and faithfully to execute the duties of his office, without favor, affection, partiality or prejudice; and all accounts to be stated, audited, or settled by such court, shall be referred for such purpose to the auditor, who shall have power to administer oaths to all witnesses and persons proper to be examined upon such accounts, and shall audit, state and settle such accounts agreeably to the order of the court, and shall return the same to the court to be done with as the court shall think just; and in all cases where the regular auditor of any circuit court of this State may be interested in any cause, or connected therewith as counsel, or in case of sickness, or absence of such auditor, or for other cause existing where it may not be proper for such auditor to act, it shall and may be lawful for the said court, or the judges or judge thereof holding the same to appoint by order of a special auditor, to whom references shall be made instead of the regular auditor; and the powers, duties and compensation of such