

copy of the bill, decree and trustee's report of the sale shall be sent to the clerks of the proper courts where such lands may respectively lie, to be docketed, indexed and recorded, as provided in section 90.

The act of 1870, ch. 450, held to have no retrospective operation, and hence not to affect decrees passed before it went into effect. *Johnson v. Johnson*, 52 Md. 669.

As to the sale of land for the payment of debts, see sec. 233.

See notes to sec. 90.

An. Code, sec. 90. 1904, sec. 86. 1888, sec. 75. 1787, ch. 30. 1852, ch. 16.

93. Where all the defendants are non-residents, the bill shall be filed in the court of the county or city where the property to be affected by such bill, or some part thereof, lies, or shall be at the time the suit is instituted.

As to non-residents, see sec. 130, *et seq.*

An. Code, sec. 91. 1904, sec. 87. 1888, sec. 76. 1785, ch. 72, sec. 13. 1841, ch. 303. 1852, ch. 16.

94. Where a decree has been made for a specific performance of a contract, or the conveyance of land, or for the sale of land, the court passing such decree shall have the same power to execute said decree, or compel a compliance therewith in cases where the land or property lies, or parties reside in different counties from that in which the decree was passed, as if the said parties resided, or land or property lay in the county where the decree was passed.

In furtherance of the intention, the words of this section must be taken distributively. History of this section. This section construed in connection with sec. 90—see notes thereto. *Dorsey v. Omo*, 93 Md. 81; *Hopper v. Brodie*, 130 Md. 445.

As to decrees of specific performance against non-resident infants and *non compos*, see sec. 133.

As to specific performance, see sec. 246.

An. Code, sec. 92. 1904, sec. 88. 1888, sec. 77. 1840, ch. 109, sec. 4.

95. Whenever any cause is ready for hearing, and the parties, their solicitors or guardians shall sign an agreement and file it with the clerk that the case be submitted for decision to the judge of the court where the suit is pending, such judge shall pass a decree, and such decree shall have the same effect as if passed at the regular term of the court.

An. Code, sec. 93. 1904, sec. 89. 1888, sec. 78. 1818, ch. 193, sec. 9.

96. Where a sale has been made by an executor under a supposed authority derived from a will, the court may, at its discretion, confirm such sale, on hearing the parties interested, or *ex parte*, in cases where a bill might be taken *pro confesso*.

This section referred to in construing art. 93, sec. 299—see notes thereto. *Eichelberger v. Hawthorne*, 33 Md. 595.

Cited but not construed in *Ex parte Black*, 1 Bl. 142.

As to when decrees *pro confesso* may pass, see sec. 164, *et seq.*

See art. 93, sec. 299.

An. Code, sec. 94. 1904, sec. 90. 1888, sec. 79. 1785, ch. 72, sec. 4.

97. Where any person dies and leaves real or personal property to be sold for the payment of debts, or other purposes, and shall not appoint any person to sell and convey the same, or if the person appointed dies, or neg-