

Md 356, 366, 22
Md 104, 347, 26
Md 53, 28 Md
12 25 227, 338,
408, 29 Md 539,
82 Md 482, 35
Md 280, 322 38
Md. 250, 40 Md
373

Judgment or
decree by
Orphans' Court

Id s 251
1814, c 204, s 3
Orders on
motions in plenary
proceeding
to be reduced to
writing and
signed
40 Md 355.
Motion

Order and pro-
ceedings trans-
mitted to appel-
late court.

Id s 252
1798, c 101,
s b-c 15, s 20
Jurisdiction not
to be exceeded
12 Md 158, 22
Md 448, 27
Md 219, 225, 28
Md 219, 339, 356,
30 Md 556, 44
Md 112

tried in the said court of law as soon as convenient, without any continuance longer than may be necessary to procure the attendance of witnesses; and the power of the court of law and the proceedings thereto relative, shall be as directed by law respecting the trial of issues; and the Orphans' Court shall give judgment or decree upon the bill and answer, or the bill, answer and depositions, or finding of the jury, and may in all cases of contest award costs in their discretion, and compel payment by attachment and fine, or by attachment and sequestration.

26. In all cases of plenary proceedings, or caveat filed in any of the Orphans' Courts of this State, where any motion or application to the court shall be made in writing, it shall be the duty of the court to reduce to writing, and sign the order or decree that may be made by them on such motion or application, and the said motion or application to the court, and the order or decree thereon, shall be filed as a part of the proceedings, and in case of appeal from the final decree of the Orphans' Court, be transmitted to the appellate court with the other proceedings, and be subject to the judgment and revision of such appellate court.

27. The Orphans' Court shall not, under pretext of incidental power or constructive authority, exercise any jurisdiction not expressly conferred by law; but every judgment, decree, decision, or order of the said court may be enforced by attachment and sequestration, as aforesaid; and if the said judgment, decree, decision, or order be for paying money, the property sequestered may, at the discretion of the court, be applied to the purpose for which such judgment, decree, decision, or order was given.

ARBITRATION AND AWARD.

Art 7, s 7
1798, c 101,
sub-c 8, s 12,
1841, c 178, s 1
Orphans' courts
may arbitrate
or refer cases.
24 Md 492, 30
Md 353, 38 Md
373, 47 Md. 390

28. The several Orphans' Courts of this State shall have power, with the consent of both parties, to be entered on their proceedings, to arbitrate between a claimant and an executor or administrator, or between an executor and a person against whom he has a claim, or the dispute may by the parties be referred to any person or persons approved by the Orphans' Court.

Id s 8.
1834 c 228, s 2
No award valid
until confirmed
after notice.
30 Md 553,
47 Md 390

29. No award made under an order of the Orphans' Court returned to said court, shall be confirmed until after notice of the award shall have been given to the parties to the reference or their representatives, and any party may file exceptions, or show cause against the award, upon any ground on the face of it or extrinsic thereto, and the court may confirm or reject the same and remand the case to the referees for a new award, or appoint new referees

Id s 9
1834, c 228, s 2
Court may make
rules respecting
notice, etc.

30. The Orphans' Court may make such rules respecting the notice to be given in cases of awards and exceptions, and showing cause and a hearing in the premises, as they deem reasonable.