

or contingent remainder, or an executory devise in any such property, or any use, trust or equitable interest therein, the court may, if it shall appear to be for the benefit and advantage of such infant, decree a sale thereof, if the provisions of the following section are complied with.

Dorsey v. Gilbert, 11 G. & J. 87. Jones v. Stockett, 2 Bl. 409. Tilly v. Tilly, 2 Bl. 436. Corrie's Case, 2 Bl. 488. Helms v. Franciscus 2 Bl. 544 Williams' Case, 3 Bl. 199. Bolgiano v Cooke, 19 Md. 376. Clay v Brittingham, 34 Md. 675. Gregory v. Lenning, 54 Md. 51. Newbold v. Schlens, 67 Md. 588.

P. G. L., (1860,) art. 16, sec. 37. 1816, ch. 154, sec. 1. 1818, ch. 133, sec. 2. 1818, ch. 193, sec. 13. 1840, ch. 109, sec. 3.

49. No decree for sale shall pass under the preceding section, but upon the petition of the guardian or *prochein ami* of such infant, and the appearance and answer of such infant, by guardian to be appointed by the court, and proof by the depositions of at least two discreet and respectable witnesses, to be taken before an examiner for that purpose; and the witnesses shall state in their depositions the value and quantity of the property, and the facts and circumstances which show that it would be for the benefit and advantage of such infant, that a decree for a sale should be passed.

Prutzman v. Pitesell, 3 H. & J. 77, Dorsey v. Clarke, 4 H. & J. 553. Davis v. Jacquin, 5 H. & J. 10. Robinson v. Townsend, 3 G. & J. 413. Kent v. Taneyhill, 6 G. & J. 1. Boyd v. Boyd, 6 G. & J. 25. Harris v. Harris, 6 G. & J. 111. Stewart v. Duvall, 7 G. & J. 179. Berrett v. Oliver, 7 G. & J. 191. House v. Wills, 12 G. & J. 338. Snowden v. Snowden, 1 Bl. 552. Hammond v. Hammond, 2 Bl. 306. Watson v. Godwin, 4 Md. Ch. 25. Benson v. Wright, 4 Md. Ch. 278. Hunter v. Hatton, 4 Gill, 115. Richards v. Swan, 7 Gill, 366. Williams v. Holmes, 9 Md. 288. Clay v. Brittingham, 34 Md. 675. Gregory v. Lenning, 54 Md. 51.

Ibid. sec. 38. 1831, ch. 311, sec. 12. 1849, ch. 429.

50. In all cases where it shall appear to the court by proof, as provided in the preceding section, that it would be for the benefit and advantage of an infant to raise money by mortgage to improve his real property, or to pay any charges, liens or encumbrances thereon, the court may, on application of the guardian or next friend of such infant, decree the conveyance of any interest, estate or term of years of such infant in any lands or real estate by way of mortgage, in such form and on such conditions as the