

non-resident defendants named in a bill in chancery; and any decree which may be passed shall have the same effect against such unknown person or persons, whether claiming by descent, purchase or in any other manner, and against his or their heirs, executors or administrators and assigns, as if such unknown person or persons had been made a defendant or defendants by name in said bill.

Partition.

P G L, (1860,) art. 16, sec 99 1785, ch 72, sec 13 1790, ch 38 1794, ch. 60, sec. 8. 1797, ch 114, sec 5 1800, ch 67, sec 3 1818, ch 193, sec 11. 1820, ch 191, sec 48 1831, ch 311, secs. 1, 9. 1832, ch 302, sec 4. 1886, ch 232.

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 by purchase; or if it appear that said lands, tenements or hereditaments, or right, interest or estate therein, 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, infant or *non compos mentis*, may file a bill under this section; an infant, by his guardian or *prochein ami*, 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 of any interest therein, for or on behalf of any infant, idiot or person *non compos mentis*, which the court, upon hearing as aforesaid and examination into all the circumstances, shall think for the interest and advantage both of such infant, idiot or person *non compos mentis*, and of the other person or persons interested therein to be confirmed, the court may confirm such contract, and order a deed to be executed according to the contract; and all sales and deeds, made in pursu-