

*equally shared between the grantor and grantee. This section shall not apply to mortgages or deeds of trust.*

*14-105. When real estate broker entitled to commission.*

*Whenever, in the absence of special agreement to the contrary, a real estate broker employed to sell, buy, lease or otherwise negotiate real or leasehold estates or mortgages, or loans thereon, procures in good faith a purchaser, seller, lessor or lessee, mortgagor or mortgagee, borrower or lender, as the case may be, and the person so procured is accepted as such by the employer, and enters into a valid, binding and enforceable written contract of sale, purchase, lease, mortgage, loan or other contract, as the case may be, in terms acceptable to the employer, and such contract is accepted by the employer and signed by him, the broker shall be deemed to have earned the customary or agreed commission, as the case may be, whether or not the contract entered into be actually performed, unless the performance of such contract be prevented, hindered or delayed by any act of the broker.*

*14-106. Accountability to cotenant for rent received from third party.*

*A tenant in common or joint tenant of property, who receives rent from a third party for the use and enjoyment of the property, is accountable to his cotenant or cotenants for that portion of the rent over and above his proportionate share.*

*14-107. Partition.*

*The circuit courts may decree a partition of any property, or any right, interest or estate or property, 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 purchase. If it appear that the property, or right, interest or estate therein cannot be divided without loss or injury to the parties interested, the court may decree its sale, and a division of the money arising from the sale among the parties, according to their respective rights. The right to a partition or sale includes the right to a partition or sale of any one or more of several separate lots or tracts of property, and for the bill or petition need not pray for a partition of all of the lots or tracts. This section applies whether or not some or all of the parties plaintiff or defendant are minors, disabled, or non-residents. A sale and deed made pursuant to an order of the court in the exercise of the above power is good and sufficient in law to transfer the estate and interest of any such person. A deed executed in the exercise of the above power shall be executed by the person the court appoints for the purpose. Wherever any bill or petition is filed hereunder for the sale of property, any person holding mortgage or other encumbrance on the property or an undivided interest therein may be made a party to the bill, and the property or interests therein shall be sold free and clear of the mortgage or other encumbrance, but the rights of a lienor shall be protected in the distribution of the proceeds of the sale.*

*14-108. Quieting title.*

*Any person who is in actual peaceable possession of property or, if the property is vacant and unoccupied, in constructive and peace-*