

INDEX TO THE LAWS.

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<p>Children born before marriage, but are acknowledged after the marriage of the parents, declared to be legitimated; &c. (§ 7) 191</p> <p>Where the parties entitled to the intestate's estate cannot agree upon a division, or any person entitled to a part be a minor, the county court, on application, may issue a commission for dividing the estate, &c. (§ 8) <i>Ib.</i></p> <p>Oath of the commissioners, <i>Ib.</i></p> <p>The commissioners to determine whether or not the estate will admit of being divided, and to ascertain the value, &c. <i>Ib.</i></p> <p>— If the estate can be divided, then partition to be made, <i>Ib.</i></p> <p>— Or, if it cannot be divided equally, then it may be divided into as many parts as it is susceptible of, &c. <i>Ib.</i></p> <p>— If the estate cannot be divided without loss, &c. the commissioners to make return of their judgment, &c. (§ 9) <i>Ib.</i></p> <p>An election given to the children, (if of age,) successively to take the estate, and pay the others their just proportions of the value, <i>Ib.</i></p> <p>— If all refuse, then the estate to be sold by the commissioners, &c. and the purchase money divided, &c. <i>Ib.</i></p> <p>When the land can be divided, then the same shall be surveyed and laid out, &c. and if it be equally divided between all the parties interested, the commissioners shall allot to each his or her share, (§ 10) <i>Ib.</i></p> <p>If the estate is divided into as many parts as it is susceptible of, the right of election to be according to the rules before mentioned, <i>Ib.</i></p> <p>When all or any of the parties entitled to elect shall refuse, then the estate, or the part not taken, shall be sold, &c. (§ 11) <i>Ib.</i></p> <p>The commissioners after having made partition shall return their proceedings, &c. (§ 12) <i>Ib.</i></p> <p>Either party may appeal from the county court to the court of appeals of the shore, <i>Ib.</i></p> <p>— Or from the court of chancery to the court of appeals of the shore, (§ 13) <i>Ib.</i></p> <p>Where the lands lie in different counties, application may be made to the chancellor, who shall appoint commissioners, &c. and there shall be the same proceedings, &c. <i>Ib.</i></p> <p>The commissioners shall cause notice to be given to the parties, &c. (§ 14 & 50) <i>Ib.</i></p> <p>If a minor is interested who has no guardian, the court shall appoint one, (§ 15) <i>Ib.</i></p> <p>Proceedings of the commissioners not to be set aside for matter of form, (§ 16) <i>Ib.</i></p> <p>If the estate consists of things indivisible in their nature, it shall be valued, and there shall be the same right of</p>	<p>election, &c. If all refuse, the estate shall be sold, &c. (§ 17) 191</p> <p>When the estate shall be sold on credit, bonds are to be taken with security, &c. (§ 18) <i>Ib.</i></p> <p>The persons electing to take the estate to give bonds, &c. (§ 19) <i>Ib.</i></p> <p>Such bonds, and the bonds of purchasers where there is a sale, to be a lien on the lands, &c. (§ 20) <i>Ib.</i></p> <p>The person electing to take any part of the estate, &c. to give bond with sureties, &c. such bonds to be a lien, &c. (§ 21) <i>Ib.</i></p> <p>Bonds may, if the court so adjudge, be given to the state, instead of the representatives of the intestate. How they are to be recorded, sued, &c. (§ 22) <i>Ib.</i></p> <p>Allowance to the commissioners, &c. and how to be paid, &c. (§ 23) <i>Ib.</i></p> <p>The commissioners to execute deeds to the purchasers, (§ 24) <i>Ib.</i></p> <p>— Where the purchaser is dead, or has assigned his equitable interest, the court may direct the commissioners to execute a deed to the heir, devisee or assignee of the purchaser, (§ 25) <i>Ib.</i></p> <p>— If the commissioners are all dead, &c. the court may appoint others to execute a deed to the purchaser, his heirs, &c. (§ 26) <i>Ib.</i></p> <p>The commissioners shall lay off the widow's dower in the estate before they proceed to divide the same, (§ 27) <i>Ib.</i></p> <p>If the widow consents to a sale, she shall signify her consent, &c. The court to award to her a proportion of the purchase money in lieu of her dower, (§ 28) <i>Ib.</i></p> <p>Where any of the heirs of the intestate have sold their right, &c. the purchaser may apply to have a division of the estate, (§ 29) <i>Ib.</i></p> <p>If any person entitled to make election is absent from the county, &c. the court to cause notice to be published, &c. on his or her nonappearance, the person next entitled may elect, &c. (§ 30) <i>Ib.</i></p> <p>— If an idiot, &c. the person next entitled may elect, &c. (§ 31) <i>Ib.</i></p> <p>The commissioners to execute deeds to persons electing to take the estate, &c. (§ 32) <i>Ib.</i></p> <p>If the eldest male is not of age to make election, then the eldest female, if of age, may elect, (§ 33) <i>Ib.</i></p> <p>The part of a tenant by the curtesy to be laid off where the estate will admit of division, &c. (§ 34) <i>Ib.</i></p> <p>— Where the estate will not admit of division, and there is no election, &c. it shall be sold disencumbered by any tenancy by the curtesy, and the court shall award to such tenant a proportion of the purchase money, &c. (§ 35) <i>Ib.</i></p> <p>— Where there is an election, &c. the person so electing to hold disencumbered by any tenancy by the curtesy; and</p>