

proceeding under this section and under section 48 shall be private so far as may be lawful.

#### Inebriates.

1904, art. 16, sec. 47. 1888, art. 16, sec. 47. 1888, ch. 71. 1894, ch. 474.

51. Whenever, by petition, under oath, any person shall be alleged to be an habitual drunkard, incapable of taking care of himself or his property, any circuit court of this State and also either of the circuit courts of Baltimore city shall have the power, in its discretion, on such preliminary examinations or inquiry, as it may think proper to make *ex parte*, to issue a warrant to the sheriff of the county or city, respectively, to arrest and bring the party so charged before such court; and it shall be the duty of the sheriff to obey such warrant; and such court shall cause a jury of good and lawful men, to be summoned by the said sheriff, to be empaneled forthwith, and shall charge said jury, under oath, to inquire, in the presence of such person, whether he is an habitual drunkard, incapable of taking care of himself; and the proceedings in such case shall be like those now authorized by law in cases of persons alleged to be lunatics or insane; and the rules of law and proceedings now applicable to the property of lunatics shall apply to cases of persons declared to be habitual drunkards under the provisions of this section, except when herein otherwise directed; and any person who may be alleged to be an habitual drunkard may dispense with the legal proceedings to establish the same, and may, with the approbation of the court wherein said petition may be filed, appoint his own committee, and may voluntarily enter any institution selected by the court, for a limited time; and the board of trustees or managers of such institution may retain such person the length of time he may have agreed therein to remain; and if the person against whom the petition may be filed shall be found by the jury to be an habitual drunkard, incapable of taking care of himself, it shall be the duty of the court to appoint a committee of such person, and such committee shall, with the written assent and approbation of the court, have the power of confining such person in any suitable institution, for such length of time, as the court may, in writing, approve; but said committee, with the written assent and approbation of the court, may at any time release from confinement said habitual drunkard, and the period of confinement of said habitual drunkard may, by the said committee, with the written assent and approbation of the court, be from time to time extended, for such period as may be necessary for his complete reformation; and the words "habitual drunkard," as used in this section, shall be construed to embrace any person who may be habitually addicted to the use of alcohol, opium, cocaine, morphine or any other intoxicant.

Where the proceedings are voluntary, the committee has authority to sell and convey the property of an inebriate. On an appeal from an order directing a private sale of an inebriate's property, the order appointing the inebriate's committee is not open to review. How the election by the inebriate to dispense with a jury trial and appoint his own committee, may be established. How a sale should be reported and ratified. Tome v. Stump, 89 Md. 270.