

As to the provision of the law where a *non compos* is entitled to an election, see art. 46, sec. 24. See also art. 46, sec. 22.

And sec. 134, and art. 59, sec. 22.

1929, ch. 340.

124. Any person who is a resident of any state, by the laws of which residents of Maryland are denied the right to qualify and act as committee or trustee of a person *non compos mentis* residing therein shall not be appointed or allowed to qualify as committee or trustee of any person *non compos mentis* resident of this State. But nothing in this section shall be construed to impair the validity of the appointment or qualification antedating June 1, 1929, nor to affect in any way the provision of law relating to the transfer of property in this State belonging to persons *non compos mentis* in another state or country.

1929, ch. 518. 1933, ch. 31.

125. The Court shall have power also to appoint a Committee or Trustee to take charge of and manage the property of any person incompetent by reason of a mental disability.

The Application therefor, may be made by next friend, shall be by petition under oath, accompanied by certificates, sworn to and subscribed by two medical doctors practicing in the State of Maryland, for the last five years or two attending neuropsychiatrists, one of whom shall have attended the alleged incompetent within the ten days before the filing of the petition.

Such certificates shall set out the cause, nature, extent and probable duration of the incompetency. The petition shall set out the reasons for the application and the kind, quantity and value of the property to be cared for and managed. The Court shall pass an order, (a) directing the alleged incompetent to be summoned within ten days, (b) requiring that within the same time a copy of the summons, petition and order shall be left with the person with whom the alleged incompetent resides, unless residing with the petitioner, in which event, the Court shall name some other person with whom such copies shall be left, (c) setting the petition for hearing on or after fifteen days from the date of the order, (d) and allowing an appearance and answer at any time before or after decree. The Court shall have power to revoke, modify or alter any decree hereunder at any time after appearance and answer for good cause shown.

Such Committee or Trustee shall care for and manage the property of the incompetent and may upon proper order of Court expend cash for the incompetent's support and maintenance, as well as for the support and maintenance of the incompetent's dependents.

An. Code, 1924, sec. 118. 1912, sec. 115. 1904, sec. 108. 1888, sec. 97. 1785, ch. 72, sec. 6.

126. On the application of any creditor of a person *non compos mentis*, the court may decree a sale of the real or personal estate of such *non compos mentis*, or such part thereof as may be necessary to pay the claim of such creditor, if the court is satisfied of the justice of the claim, and that there is no other means of paying the same.

As the lunatic himself cannot, after inquisition found, contract a debt, the claims of the creditors referred to in this section must exist before the inquisition, or may consist of liens on his property. See note to sec. 129. *Rutledge v. Rutledge*, 118 Md. 556.