

order the money arising therefrom to be invested in stocks or other property, or in mortgages on real estate or in other safe securities, as the court may deem most advantageous to such person *non compos mentis*; and on the death of such person *non compos mentis* the principal arising from any such sale shall pass to and vest in the person or persons in whom such property would have vested if the same had not been sold. Any decree or order which may have been heretofore passed for the sale of the property of any person *non compos mentis* shall have the same effect as if it had been passed after the adoption of this section.

Inasmuch as a sale can only be ordered under this section upon the application of the guardian, committee, etc., a decree cannot pass upon the application of a third party; and under such decree, a purchaser gets no title. History of this section. *Hamilton v. Traber*, 78 Md. 32.

This section construed in connection with sec. 52—see notes thereto. *Tome v. Stump*, 89 Md. 269.

This section referred to in construing secs. 121 and 125—see notes thereto. *Rutledge v. Rutledge*, 118 Md. 557.

Cited but not construed in *Jones v. Jones*, 1 Bl. 458.

See notes to sec. 121.

An. Code, sec. 117. 1904, sec. 110. 1888, sec. 99. 1833, ch. 150, sec. 2. 1894, ch. 221. 1912, ch. 478.

120. The Court, which may have appointed the guardian, committee or trustee of the property of a person *non compos mentis* may, upon the application of such guardian, committee or trustee, without any process or order of publication, order or decree any real or leasehold property of a person *non compos mentis* to be mortgaged, or may order or decree any real or leasehold property of a person *non compos mentis* to be leased for any term of years, or may order or decree the surrender of any lease of the estate or property of such person *non compos mentis* to be accepted, and the same to be demised anew on such terms and conditions as the Court may direct.

This section referred to in construing sec. 52—see notes thereto. *Tome v. Stump*, 89 Md. 269.

This section referred to in construing secs. 119 and 121—see notes to the latter section. *Willis v. Hodson*, 79 Md. 331.

This section referred to in construing secs. 121 and 125—see notes thereto. *Rutledge v. Rutledge*, 118 Md. 557-63 (decided prior to the act of 1912, ch. 478).

An. Code, sec. 118. 1904, sec. 111. 1888, sec. 100. 1828, ch. 26, sec. 1. 1829, ch. 222. 1833, ch. 150. 1894, ch. 221. 1912, ch. 478.

121. In all applications by a guardian, committee or trustee of the property of a person *non compos mentis* to sell any of the real, leasehold or personal property of such person *non compos mentis*, or to mortgage any of the real or leasehold property of such person *non compos mentis* or to demise any of the real or leasehold property of such person *non compos mentis*, or to accept the surrender of lease thereof, the Court shall, before passing an order, or decree, have proof taken as in other chancery cases as to the value, quantity and condition of the property and after considering all the circumstances if the Court shall deem it to the interest and advantage of such person *non compos mentis* it may order or decree a sale,