

Passed Mar. 7, 1834 *An act entitled an act to extend the powers of the Chancery Court, and the county courts, as Courts of Equity.*

Preamble

WHEREAS, the act of Assembly, of seventeen hundred and eighty-five, chapter seventy-two, section six, makes it the duty of the Chancellor or county court, sitting as a court of Equity, to be satisfied of the justice of a claim of any creditor or creditors, against any idiot, lunatic, or person non compos mentis, and also, that it will be advantageous and beneficial to the estate of such idiot, lunatic or person non compos mentis, that a sale of his or her personal or real property or estate, should be made; for remedy thereof,

Discretion to order sale

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That it shall not be necessary in cases of applications of any such creditor or creditors, now or hereafter depending before the Chancellor, or county court sitting as a court of Equity, that such Chancellor, or county court sitting as a court of Equity, shall be satisfied that a sale of the personal or real property or estate of such idiot, lunatic, or person non compos mentis, for discharging and paying the claim or claims of such creditor or creditors of such idiot, lunatic, or person non compos mentis, will be advantageous to such idiot, lunatic or person non compos mentis, but that a sale may be made, without such requisition; *Provided always,* that this act shall not be construed to repeal the act of seventeen hundred and eighty-five chapter seventy-two, in any other particular.

Proviso

Power to order lease, &c.

Sec. 2. *And be it enacted,* That on application by the Trustees of any idiot, lunatic, or person non compos mentis, to the court of Chancery, or to Baltimore county court as a court of Equity, it shall and may be lawful for the court on being satisfied by return of commissioners appointed to inquire or otherwise that the same will be advantageous for the interests of such idiot, lunatic, or person non compos mentis, to order and decree in manner and under the regulations provided by the act of December session, eighteen hundred and thirty-one, chapter three hundred and eleven, in case of infants, the leasing for any term of years, renewable forever or otherwise, and on such conditions as the court shall approve, any ground or real property or estate of such idiot, lunatic or person non compos mentis, situate in the city of Baltimore, and further that on application as aforesaid, and it appearing in man-