

object and necessity of the sale, and something of record to show its purpose. Court held to have no power to ratify a sale for investment by reason of a failure to comply with this section; this section must be substantially complied with before a decree for sale or lease under sections 116 and 117 can be passed. Under this section the guardian, committee or trustee of the *property* may apply for its sale, whereas under section 121, the trustee or committee of the *person* and *estate* must apply. An attempted sale held invalid. See note to section 121. *Rutledge v. Rutledge*, 118 Md. 556 (decided prior to the act of 1912, chapter 478).

See notes to this section (as it stood in 1911) in volume 1 of the Annotated Code.

1904, art. 16, sec. 112. 1888, art. 16, sec. 101. 1860, art. 16, sec. 84.
1785, ch. 72, sec. 8. 1800, ch. 67, sec. 4. 1912, ch. 478.

119. No sale, mortgage, lease or surrender of a lease of the property, real or personal of a person *non compos mentis* shall be valid unless the same shall be reported to and confirmed by the Court.

This section referred to in construing sections 118 and 121—see notes thereto. *Rutledge v. Rutledge*, 118 Md. 558 (decided prior to the act of 1912, chapter 478).

See notes to this section (as it stood in 1911) in volume 1 of the Annotated Code.

120.

This section referred to in construing sections 118 and 121—see notes thereto. *Rutledge v. Rutledge*, 118 Md. 554.

121.

The custody of the person and property of the lunatic must have been already committed to the trustee before this section can apply. This section distinguished from section 118. Sale held not to have been made for any of the purposes mentioned in this section. See note to section 118. *Rutledge v. Rutledge*, 118 Md. 557.

Non-Residents.

1914, ch. 708.

125A. In all cases in chancery where the *non compos mentis* owns property in this State and is a non-resident and has been adjudicated as a *non compos mentis* in a foreign jurisdiction, and a guardian, committee or trustee has been appointed and has qualified under the authority of a competent tribunal in said foreign jurisdiction an exemplified copy of said adjudication and qualification and appointment shall be full proof in the Courts of this State of the disability of such person and of the legality of the appointment and qualification of such guardian, committee or trustee, and the Court, upon a bill or petition of such guardian, committee or trustee, shall order a sale or sales of the property of such *non compos mentis* located within this State, if it shall appear to the Court to be for the best interest of such *non compos mentis*, either at public or private sale, but before a confirmation of such sale shall be made it shall affirmatively appear to the Court that a notice to creditors, in the usual form followed in equity to file claim, if any they have, has been given by public notice in one or more newspapers published in the city or county where the property lies for at least thirty days, and in all other matters and things the usual practice