

72.

See notes to article 23, section 234.

Injunction.

81.

Pending a caveat to the will of a deceased vendor, the administrator *pendente lite* is at least a proper party to a bill for specific performance, not because he is authorized under this section to convey the real estate, but because he receives the purchase money if the contract is enforced. *Warfield v. Valentine*, 130 Md. 594.

Jurisdiction.

87.

This section means that if all the lands to be affected by the suit are not situated in one county or in the City of Baltimore, or some of them are in one county and some in one or more of the other counties, or some in the City of Baltimore and some in one or more of the other counties, the proceedings may be commenced in either county or in the City of Baltimore where any part of the land is situated. Purpose of this section. *Roessner v. Mitchell*, 122 Md. 463.

To the first note to this section beginning on page 376 of volume 1 of the code, add *Hopper v. Brodie*, 130 Md. 446.

See notes to section 88.

88.

This section is applicable to all equity cases in which the defendants reside in different counties or in a county and the City of Baltimore, except where there is some other special provision, as for instance, section 87; this is true notwithstanding article 75, section 147. *Hopper v. Brodie*, 130 Md. 445.

91.

To the first note to this section on page 377 of volume 1 of the code, add *Hopper v. Brodie*, 130 Md. 445.

94.

Trusts of real estate upon the trustee's death devolve upon his heir under article 46, section 24, for the preservation of the title until the appointment of a new trustee by an equity court under its general powers under this section. *Weller v. Kolb*, 128 Md. 226.

95.

To the first note to this section on page 378 of volume 1 of the code, add *Warfield v. Valentine*, 130 Md. 593.

See notes to section 81.

Non Compos Mentis.

114.

The powers of equity under this and the following sections are very broad and comprehensive, although a sale, lease or mortgage of the estate of a *non compos* by his committee is safeguarded by a number of provisions. The fact that the court did not authorize the committee to make a lease, or if it did, the informal execution of it or failure to recite the fact in the lease, would not justify a second recovery of the rents and profits. Powers of a committee appointed in this state over property in another state. *Wilmer v. Phila. & Reading C. & I. Co.*, 130 Md. 675.