

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.

121.

Referred to in dealing with provision in will *re* support of lunatic at home place. *In re Ritter*, 148 Md. 135.

125.

See notes to sec. 121.

Partition.**152.**

Except for this section, judgment creditor would not, as rule, be proper party to partition case in which debtor is interested. Right to caveat will. *Lee v. Keech*, 151 Md. 37.

Partition may be had under this section on bill filed by fee simple owner of undivided one-third interest against remaindermen in fee in other two-thirds, although complainants also own life estate in latter. *Bosley v. Burk*, 154 Md. 31.

To second note to this section, page 495, vol. 1, of Code, add: And see *Bosley v. Burk*, 154 Md. 31.

Pleadings, Practice and Process.**157.**

Since plaintiff's equity does not depend upon writing, but upon oral lease, this section held not to apply. Documents or records in possession of defendant need not be filed with bill. *Hall v. Sharp Street Station*, 155 Md. 658.

Contention that "prospectus" and "album" should have been filed as exhibits with bill charging fraud in sale of stock, overruled. *Sears v. Barker*, 155 Md. 332.

162.

See art. 72A.

163. Repealed by ch. 376 of acts of 1929.