

view. How the election by inebriate to dispense with a jury trial and appoint his own committee, may be established. How a sale should be reported and ratified. *Tome v. Stump*, 89 Md. 270.

This section referred to in construing the act of 1894, ch. 247—see notes to sec. 57. *Baltimore v. Keeley Institute*, 81 Md. 114.

As to lunatics, see arts. 59 and 44.

Committee for man accused of violating Federal law appointed by consent under this section. Habeas corpus will not be issued by Federal court though person is physically and mentally able to take care of himself and his estate, and committee should be discharged. *Winebrenner v. Besant*, 11 Fed. (2nd), (D. Ct. Md.), 991.

An. Code, 1924, sec. 53. 1912, sec. 52. 1904, sec. 48. 1894, ch. 247, sec. 1.

57. Any inhabitant of this State, who is of kin to or a friend of an habitual drunkard, as defined in section 61, may petition the circuit court for the county for the residence of such drunkard, or the circuit courts of Baltimore City, if said habitual drunkard resides therein, for leave to send such drunkard, at the expense of said county or city of Baltimore, to such institution for the medical treatment of drunkenness, as the said court may designate; which petition shall set forth the name, age and condition of such habitual drunkard, and that such drunkard or those of his kin petitioning are not financially able to incur the expense of his cure, and shall set forth that said drunkard is willing and will agree to attend such institution for the cure of drunkenness; which petition shall be verified by the person making such request and shall contain in addition thereto the written agreement of such habitual drunkard to take such treatment and obey the rules of the institution administering the same, and the names of three taxpayers in the county of his residence, or of Baltimore City, if he resides therein, stating that they are familiar with the facts set forth in the petition, and that they are familiar with the financial circumstances of such drunkard and of the petitioning kin, and think it a proper case for assistance from the county wherein the said habitual drunkard resides, or Baltimore City, if he resides therein.

The act of 1894, ch. 247, is not in conflict with the Maryland Constitution, either on the ground that it imposes a tax upon citizens of Baltimore without their consent, or on the ground that its title is defective. *Baltimore v. Keeley Institute*, 81 Md. 113; *Mealey v. Hagerstown*, 92 Md. 746.

An. Code, 1924, sec. 54. 1912, sec. 53. 1904, sec. 49. 1894, ch. 247, sec. 2.

58. When such petition is filed, any judge of the circuit court referred to in section 57, if satisfied from examination that the facts set forth in the petition are true, and that the said drunkard has been a resident of the county or of Baltimore City for six months next preceding the application, and that such drunkard of his own free will desires to take such treatment, shall send such habitual drunkard to some institution for the cure of drunkenness; provided, said institution is located in the State of Maryland, and that the managers of such institution will agree to treat such patient for a sum not to exceed one hundred dollars; but such court shall not be compelled to send such habitual drunkard to any institution making a lower bid than the sum herein specified, unless in their judgment the best interest of such drunkard shall be promoted thereby; and the said judge of the circuit court shall thereupon make an order that the expense of such treatment be paid out of the treasury of the county or the city of Baltimore, as the case may be, in the same manner that other claims against such county or city of Baltimore for the administration of justice are paid; provided, that no county or the city of Baltimore shall be required to send the same habitual drunkard to any institution for the medical treatment of drunkenness a second time at its expense.

See notes to sec. 57.