

tor and the interests of the *cestui que trusts* thereunder. *Albert v. Savings Bank of Baltimore*, 2 Md. 167.

A trustee may be appointed to execute an assignment of patent if patentee fails to execute such assignment, as directed by decree. *Ager v. Murray*, 105 U. S. 126.

This section applied in the case of a lunatic. *Owing's Case*, 1 Bl. 407.

Cited but not construed in *Watkins v. Worthington*, 2 Bl. 524.

See notes to sec. 89.

An. Code, 1924, sec. 99. 1912, sec. 96. 1904, sec. 92. 1888, sec. 81. 1831, ch. 315, sec. 17.

104. Nothing in the testamentary law of this State shall be construed in any manner to affect the general superintending power of the courts having chancery jurisdiction with respect to trusts.

Equity has jurisdiction to superintend the administration of assets, decree distribution amongst legatees and distributees, and to compel executors and administrators to discharge their trust. Design of this section. *Myers v. Forbes*, 74 Md. 360; *Keplinger v. Maccubbin*, 58 Md. 213; *Davis v. Clabaugh*, 30 Md. 511. And see *Barnes v. Crain*, 8 Gill, 391.

This section referred to in affirming the general jurisdiction of equity over guardians. *Corries' Case*, 2 Bl. 500. And see *Barnes v. Crain*, 8 Gill, 391; *Waring v. Waring*, 2 Bl. 674; *Swan v. Dent*, 2 Md. Ch. 117.

This section referred to in construing sec. 102—see notes thereto. *Wright v. Williams*, 93 Md. 69.

This section referred to in construing art. 93, sec. 174—see notes thereto. *Thaw v. Falls*, 136 U. S. 519.

This section construed in connection with art. 93, sec. 272—see notes thereto. *Blumenthal v. Moitz*, 76 Md. 566.

This section referred to in construing art. 93, sec. 301—see notes thereto. *Eichelberger v. Hawthorne*, 33 Md. 595.

See notes to sec. 105.

An. Code, 1924, sec. 100. 1912, sec. 97. 1904, sec. 93. 1888, sec. 82.
1798, ch. 101, sub-ch. 14, sec. 6.

105. A suit in chancery may be maintained for a legacy, in cases where a bond has been given to pay debts and legacies.

This section applied. *Matthews v. Targarona*, 104 Md. 454; *Cherbonnier v. Goodwin*, 79 Md. 59. And see *Hammond v. Hammond*, 2 Bl. 316.

An. Code, 1924, sec. 101. 1912, sec. 98. 1904, sec. 94. 1888, sec. 83.
1798, ch. 101, sub-ch. 12, sec. 10.

106. No guardian shall diminish the real estate of his ward for the maintenance or education of such ward, without the approbation of the court having equity jurisdiction, and the orphans' court.

This section referred to in construing art. 93, sec. 174—see notes thereto. *Brodess v. Thompson*, 2 H. & G. 126; *Williams' Case*, 3 Bl. 300. And see *Hatton v. Weems*, 12 G. & J. 108.

See sec. 73.

See art. 93, sec. 174.

An. Code, 1924, sec. 102. 1912, sec. 99. 1904, sec. 95. 1888, sec. 84. 1773, ch. 7, sec. 1.
1778, ch. 22, sec. 2. 1785, ch. 72, sec. 1.

107. If any infant, or person *non compos mentis*, be entitled to any real or personal property in this state, or any interest or estate therein, and the same shall be liable to any mortgage, trust, lien, or in any way charged with the payment of money, the court shall have the same power to decree in such case as if such infant were of full age, or such *non compos mentis* of sound mind.

For cases involving the act of 1773, ch. 7, see *Partridge v. Dorsey*, 3 H. & J. 302; *Owings' Case*, 1 Bl. 407.

Cited but not construed in *Hamilton v. Traber*, 78 Md. 32; *Jones v. Bitsworth*, 3 Bl. 193.

Proceedings under this section confined to cases where court has acquired jurisdiction on other grounds and is intended to remove disability of infancy in so far as it is obstacle in dealing with property over which court has acquired jurisdiction. *Tucker v. Hudson*, 158 Md. 13.