

leaving the question of the liability of the husband for such expenses to be determined in an appropriate proceeding. *Bliss v. Bliss*, 133 Md. 74.

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 sec. 129. Sale held not to have been made for any of the purposes mentioned in this section. See note to sec. 129. *Rutledge v. Rutledge*, 118 Md. 557.

Property of the lunatic may be sold to pay taxes and his living expenses without the formalities (prior to the act of 1894, ch. 221) prescribed by sec. 129. *Estate of Dorney*, 59 Md. 70. *Willis v. Hodson*, 79 Md. 330.

Cited but not construed in *Williams' Case*, 3 Bl. 192; *Campbell's Case*, 2 Bl. 224. See notes to sec. 129.

An. Code, 1924, sec. 126. 1912, sec. 122. 1904, sec. 115. 1888, sec. 104. 1797, ch. 114, sec. 7. 1813, ch. 21.

133. The court may, on the application of any trustee of a person *non compos mentis*, and receiving proof that it is necessary and proper to confine such person, direct such trustee to send the person under his charge to any hospital in the vicinity of the city of Baltimore, provided he can be there received, to remain until the further order of the court.

An. Code, 1924, sec. 127. 1912, sec. 123. 1904, sec. 116. 1896, ch. 33, sec. 104A.

134. In case of application by petition of a person who has been adjudged a lunatic or *non compos mentis* to have the commission superseded on the ground of recovery or restoration to a sound state of mind and capacity to manage his affairs, the petitioner shall be entitled to have the question submitted to a jury empaneled under the order of the court for the purpose, whose verdict shall be binding on the court, unless set aside for cause.

See notes to sec. 123.

An. Code, 1924, sec. 129. 1920, ch. 712, sec. 123A.

135. If any non-resident *non compos mentis*, declared to be such by a Court of competent jurisdiction in the State, District or Territory of the United States in which such *non compos mentis* resides, shall be entitled to any legacy, bequest or distributive share or to the proceeds of any sale made under a decree of a court of equity, or to any money or property in the hands of a trustee appointed by will or deed, or any property in the hands of any executor or administrator in this State, and such *non compos mentis* has a committee or guardian regularly appointed where he or she resides, such foreign committee may upon application by petition to the proper Court in this State obtain an order for the payment, transfer, or delivery of such proceeds, legacy, bequest or distributive share by such trustee, administrator, executor or other fiduciary; provided the petition of such foreign committee shall set forth the entire amount of the property of such *non compos mentis*, including property in this State of such *non compos mentis*, and shall be accompanied by duly authenticated copies of the decree adjudicating such person a *non compos mentis*, and of such committee appointment and qualification and of the bond or other security given by such committee, and shall be verified by affidavit and the sufficiency of the security shall be certified to by the chief clerk or prothonotary of the Court by which said security was taken; and provided further that the Court is satisfied of the truth of the facts set forth in such petition and of the sufficiency of such security.