

CHAP. 101.

Commissioners to
take an oathTrustee may be
appointed

William Turnbull, setting forth that the said William Turnbull is of unsound mind, and praying that a commission *de lunatico inquirendo* may issue to such commission directed to three or more commissioners to be by the said court named.

2. *And be it enacted*, That the said commissioners before they proceed to act, shall take an oath well and truly to inquire if the said William Turnbull be of sound mind, and if they shall find and return an inquisition that the said William Turnbull is of unsound mind, and not capable of governing himself, then and in that case it shall and may be lawful for the said court to make such order and decree in and relating to the person and estate of the said William Turnbull, as the chancellor now can in and relating to the persons and estates of idiots, lunatics, and persons *non compos mentis*.

3. *And be it enacted*, That if the said commissioners shall make the return as aforesaid, then it shall and may be lawful for the said county court to appoint a trustee for the management of the person and estate of the said William Turnbull, and the said trustee, after giving bond in such sum, and with such security as to the said county court shall seem fit and proper, for the faithful discharge of his duty as trustee as aforesaid, is hereby invested with full power and authority, in his own name, to sue for, compound for, lease or sell, all or any part of the lands or estate which the said William Turnbull is entitled to within the state of Kentucky, or elsewhere, and the money arising therefrom to invest in such stock or stocks as the said county court shall seem most secure and useful to the said William Turnbull, and his family, during his life, and after his decease to and for the use and benefit of his wife and children, in such rights and interests as they would have held said estate if the same had not been sold, and subject to the like operations of law in case of the death of his said wife and children, or either of them, as if no such sale had been made.

CHAP. CII.

Passed Feb 2, 1820

Preamble

An Act to empower the Chancellor or Baltimore County Court to make such Decree as to them shall seem just and right in the case therein mentioned.

WHEREAS it appears to this general assembly, by the memorial of Robert and John Oliver, Samuel Moale, and William M. Mechen, of the city of Baltimore, that the said William M. Mechen on the fifth of April eighteen hundred and fifteen, duly made and executed a deed of conveyance to James P. Boyd, and the said Samuel Moale, in fee simple, of certain real estate therein named, in trust for securing the payment of certain debts also therein specified, and with power to sell the said real estate, or any part thereof, for the purposes of the trust; among which debts was a very considerable one due from the said William M. Mechen to the said Robert and John Oliver, for money some time before lent to him, all which appears by a copy of the said conveyance accompanying the said memorial: And whereas, it became necessary for the payment of all the debts mentioned in the trust, to sell the said real estate, but that the said James P. Boyd unfortunately became incompetent, by mental incapacity, to act in execution of the trust, and that a petition was filed in the court of chancery by some of the parties interested, for a decree to enable the other trustee, (the said Samuel Moale,) to act alone; and that upon consideration of the said petition, and the answers of the defendants, the chancellor passed such a decree,

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