cannot *remove* a guardian by Act of Parliament; but the Court may appoint a proper person to superintend the education, &c., Ingham v. Bickerdike, 6 Madd. 275; and the conduct of the guardian may be regulated without his being discharged, Roach v. Garvan, 1 Ves. 160, where indeed the Lord Chancellor observed that the Court sometimes, *though rarely*, did *remove* a testamentary guardian. It seems that the application to the Court ought to be made by bill, *in Re* Swifts, 2 Moll. 330; see, however, Corrie's case *supra*. The bill may be filed during infancy, and the Court will hear any one on behalf of the infant, nor will the remedy fail by the intervention of a remedy at common law, Barnes v. Crain *supra*. It seems, however, that the infant himself cannot call his guardian to account while the relation of guardian and ward subsists, but a third person may do so, Swann v. Richards, 2 Md. Ch. Dec. 111. This indeed was the rule of the common law, that account shall not lie whilst the guardianship continues.

The subject of the jurisdiction of Chancery in controlling the powers of testamentary guardians is discussed in Talbot v. Earl of Shrewsbury, 4 Myl. & C. 672. The general rule is, that the Court will not without a case made interfere with the manner in which a testamentary guardian exercises his authority. Chancellor Bland declared in Corrie's case *supra*, that none of the functionaries of the State can exercise any authority at variance with those great fundamental laws by which freedom of religious and political opinions is secured to the citizen. (See Talbot v. Earl of Shrewsbury *supra;* Witty v. Marshall, 1 Y. & Coll. C. C. 68.) But consistently with those constitutional provisions, the Court of Chancery may withdraw infants from any open or direct immoral or vicious influence or example, as from tuition of an infamous convict where the infant could not fail to be engaged in vicious pursuits, (see *Shelloy v. West- **474**
brooke, Jac. 266 *n.;* De Manneville v. De Manneville *supra;* Thomas v. Roberts, 3 De G. & Sm. 758; Anon. 2 Sim. N. S. 54). So the State has a large interest in having her infants educated under the influence of the freedom secured to them, and the Chancellor would not suffer a guardian to send his ward abroad, or out of the United States, to be educated, where principles adverse to our institutions must necessarily be inculcated or might be too copiously imbibed, (and see *in Re* Dawson *supra.*) He went on to say, that though parents may well be indulged, on the ground of their right to leave the country at pleasure, to take with them their infant children wherever they may go, yet the Court of Chancery will not even allow a father, under colour of parental authority, to work the ruin of his child, or suffer the child in any way to be sacrificed to his views, and see Jones v. Stockett, 2 Bl. 429; Helms v. Franciscus, 2 Bl. 563. Nor will it concede to any mere legal guardian an unlimited power to dispose of his ward as he may think proper. And as an infant cannot of himself acquire any domicil, but always retains that of his parents or his origin, a guardian, merely constituted such by law, is never permitted at his pleasure to change the domicil of his ward for any purpose.

In the case of Slattery v. Smiley, 25 Md. 389, the Court held that the Orphans Court might remove *any* guardian for improper conduct, 1°, in relation to the care and management of the property, and 2°, in relation