

the Chancellor of a guardian, to a citizen infant, resident here, should be recognized every where, so as to enable such guardian to collect and bring his ward's property within the jurisdiction of this state.

*James Corrie*, by his petition, stated that his brother *John Corrie*, late of the Island of Trinidad, had died there, leaving a considerable real and personal estate, which, by his last will, he had given to the children of his six brothers and sisters; that the petitioner had eight infant children, who were consequently entitled to one-sixth part of the estate so devised and bequeathed; and that by the laws of Trinidad, the estate so given to his infant children, could only be recovered by their guardian. Whereupon he prayed, that he might be appointed their guardian for that purpose.

31st May, 1830.—BLAND, *Chancellor*.—It is clear, that in all ordinary cases, arising wholly within the jurisdiction of Maryland, this court, when it may be proper for it to act at all, may make an appointment of a guardian to an infant upon petition only, without any bill filed or suit in court; (a) and therefore, if this be a case in which it may act with propriety, there can be no doubt,

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(a) *Eyre v. Shaftsbury*, 2 P. Will. 118, 120; *Ex parte Birchell*, 3 Atk. 813; *Ex parte Salter*, 2 Dick. 769, S. C.; 3 Bro. C. C. 500; *Ex parte Wheeler*, 16 Ves. 266. In the matter of *Woolscombe*, 1 Mad. Rep. 213; *O'Keeffe v. Casey*, 1 Scho. and Lefr. 106; *Villareal v. Mellish*, 2 Swan. 536, note; *Pratt v. Pratt*, ante 429.

*Ex parte Ross*.—*Oliver Bond Ross*, by his father and next friend, *James Ross*, filed his petition here, in which he stated, that his father had purchased for him ten shares of stock in the Union Bank of Maryland, for the paying of the instalments, drawing the dividends, &c. on which, it was necessary he should have a guardian appointed; and therefore prayed, that his father might be appointed his guardian, &c.

16th April, 1805.—HANSON, *Chancellor*.—The Chancellor has considered the petition of *Oliver Bond Ross*, and is by no means satisfied that it is necessary, or that it will be deemed proper for him to exercise the power of appointing a guardian in the present case. From the 101st act of 1798, ch. 12, it clearly appears, the idea of the legislature, that a father is by nature, entitled to act as guardian of the property as well as the person of his child, unless, &c. &c. The Chancellor makes these remarks, in order that his decision may not be considered hereafter, as a precedent, respecting the right, or power of a natural guardian. And as it is impossible, that his appointment, concurring with the order or institution of nature, can be injurious; it is *Decreed*, that *James Ross*, of Baltimore, father of the petitioner, be, and he is hereby constituted guardian of the said *Oliver Bond Ross*, for the purpose only, of superintending and managing the shares and interest of the said *Oliver B. Ross*, in the Union Bank of Maryland; and of paying the said bank or receiving from it, money for the said *Oliver*; and of acting in the premises, to all intents and purposes, as the said *Oliver*, if of full age, might act for himself. And it is hereby declared the intent of this decree, to give to the said *James Ross*, authority to act as guardian in no other respect whatever.