

pointing the father or mother of such infant its guardian if the court to whom the appointment properly belongs shall, in its discretion, deem such father or mother a fit and proper person to be so appointed.

The notice required by this section must be by summons if party is within the reach of process; otherwise, by publication. Verbal notice is not sufficient. *Redman v. Chance*, 32 Md. 52.

The mother being the natural guardian will be preferred to a guardian named at the request of deceased putative father. No appeal lies from such appointment. *Ramsay v. Thompson*, 71 Md. 319. And see *Helms v. Franciscus*, 2 Bl. 544.

Where a guardian is appointed without notice to father and mother, although parties aggrieved are not limited to appealing from such order, a petition raising the point must be filed within thirty days from time of actual knowledge of such appointment. *Redman v. Chance*, 32 Md. 52; *Stanley v. Safe Deposit Co.*, 88 Md. 407.

In absence of a statutory guardian, a natural guardian may sue for a conversion of infant's property. *Baltimore v. Norman*, 4 Md. 359; *Smith v. Williamson*, 1 H & J. 147.

An. Code, sec. 147. 1904, sec. 146. 1888, sec. 147. 1798, ch. 101, sub-ch. 12, sec. 2.

152. The court shall have power to have brought before them any infant for the purpose of appointing a guardian.

It is not necessary that orphans' court should summons infant before it in every case, though such practice is approved where infant has reached age of discretion. Purpose of this section. *Lefever v. Lefever*, 6 Md. 477.

An. Code, sec. 148. 1904, sec. 147. 1888, sec. 148. 1834, ch. 291, sec. 3.

153. The appointment of a guardian by a mother of an infant by last will and testament shall be as valid in every respect, and to all intents and purposes, as if such appointment had been made by the father of such infant by will, provided such mother be capable in law to execute a last will and testament.

An. Code, sec. 149. 1904, sec. 148. 1888, sec. 149. 1834, ch. 73.

154. In all cases where there shall be an appointment of a guardian of a female above the age of eighteen years, by last will and testament, and the person so appointed shall die or renounce or refuse to act, the orphans' court of the county in which the said will shall be proved may appoint a guardian in the place of the person so dying, renouncing, or refusing to act; and the person so appointed shall give bond in the same manner as guardians appointed for infants under age, and shall have the same powers, perform the same duties, and be entitled and bound to perform them for the same length of time, or up to such period as the person appointed by the will if he had lived and taken upon him the trust reposed in him by the will, and shall be bound to render and settle an account of his guardianship or trust to the orphans' court in the same manner and at the same time as other guardians of infants appointed by the orphans' court are required by law.

An. Code, sec. 150. 1904, sec. 149. 1888, sec. 150. 1834, ch. 291, sec. 5.

155. When a guardian shall be appointed by the orphans' court in this State, or by last will and testament, agreeably to law, such guardianship shall extend to all the property of the infant within this State, or