

The act of 1798, ch. 101, only removes disabilities of infancy in cases therein expressly provided. Though entitled to the possession of her property, a female under twenty-one cannot dispose of it save as provided in sec. 335. *Davis v. Jacquin*, 5 H. & J. 109; *Fridge v. State*, 3 G. & J. 115; *Waring v. Waring*, 2 Bl. 674; *Bowers v. State*, 7 H. & J. 36; *Greenwood v. Greenwood*, 28 Md. 385.

This section does not affect rule that a father has legal control over his daughter, and right to her services until she is twenty-one. *Greenwood v. Greenwood*, 28 Md. 385. And see *Keller v. Donnelly*, 5 Md. 217.

In all cases where the jurisdiction of ordinary tribunals falls short, equity will appoint a guardian. *Waring v. Waring*, 2 Bl. 674; *Corrie's Case*, 2 Bl. 500. As to the jurisdiction of equity relative to guardians and wards, see also *Crain v. Barnes*, 1 Md. Ch. 151; *Barnes v. Crain*, 8 Gill, 391.

This section referred to in construing sec. 174—see notes thereto. *Thaw v. Falls*, 136 U. S. 519.

Cited but not construed in *Contee v. Dawson*, 2 Bl. 273.

This section referred to *re* jurisdiction in divorce case—see notes to art. 16, sec. 38. *Lowe v. Lowe*, 150 Md. 603.

As to fiduciaries, see art. 37A.

As to veterans' guardianship, see art. 65, sec. 60, *et seq.*

See art. 72A, secs. 1 and 4.

As to the jurisdiction of equity over infants, see art. 16, sec. 63, *et seq.*

As to the appointment of guardians in cases of division and election, see art. 46, sec. 11. See also art. 46, sec. 29.

As to the powers and duties of institutions for the care and protection of minors, see art. 23, sec. 193.

As to marriages of minors, see art. 62, sec. 7, *et seq.*

An. Code, 1924, sec. 150. 1912, sec. 145. 1904, sec. 144. 1888, sec. 145. 1834, ch. 291, sec. 4.

153. In case any infant in this State shall be entitled to personal property by purchase or by gift, other than by last will and testament, recorded in this State, and there be no guardian appointed to such infant within this State, the orphans' court of the county in which such infant shall reside shall have the right to appoint a guardian to such infant.

An. Code, 1924, sec. 151. 1912, sec. 146. 1904, sec. 145. 1888, sec. 146. 1834, ch. 291, sec. 2.

154. The orphans' court shall have the right and power to appoint a guardian to any such infant as aforesaid, although such infant may have a father or mother living at the time of such appointment; provided, notice be given by the court, by publication or otherwise, to such father, or mother (if there be no father living), to show cause why such appointment should not be made; and such appointment shall be as valid in every respect as if the father and mother of such infant were both dead at the time; but nothing herein contained shall prevent the said courts from appointing 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. See art. 72A, secs. 1 and 4.

An. Code, 1924, sec. 152. 1912, sec. 147. 1904, sec. 146. 1888, sec. 147. 1798, ch. 101, sub-ch. 12, sec. 2.

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