

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, 1924, sec. 153. 1912, sec. 148. 1904, sec. 147. 1888, sec. 148. 1834, ch. 291, sec. 3.

156. 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.

See art. 72A, sec. 4.

1927, ch. 524.

157. In any and all cases where a tort shall be alleged to have been committed against any infant, and said infant is in the custody of its mother, the mother, in the first instance shall have the right to institute suit against the alleged *tort-feasor* or *tort-feasors* for and on account of such alleged tort; provided, however, that if the mother, within six months after the commission of the alleged tort, shall have failed to institute suit as aforesaid, then any person interested in said child, after having first given notice to its mother, by registered mail at her last known address, shall have a right to institute suit as next friend to such infant.

See art. 72A, sec. 3.

An. Code, 1924, sec. 154. 1912, sec. 149. 1904, sec. 148. 1888, sec. 149. 1834, ch. 73.

158. 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, 1924, sec. 155. 1912, sec. 150. 1904, sec. 149. 1888, sec. 150. 1834, ch. 291, sec. 5.

159. 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 which may be obtained by such guardian out of the State, by virtue of such appointment or guardianship.

This section referred to in deciding that a guardian was entitled to receive certain property from a trustee under a will. *Strite v. Furst*, 112 Md. 106.

An. Code, 1924, sec. 156. 1912, sec. 151. 1904, sec. 150. 1888, sec. 151. 1830, ch. 174, sec. 1.

160. Whenever any person shall die seized or possessed of any lands, tenements or hereditaments lying within this State, and any of the persons entitled thereto, or any part thereof, shall be under age, and without a