

court, in a case to which such infant is a party, or by virtue of a power contained in a mortgage upon such real estate or leasehold property, the court decreeing or ratifying such sale may, upon the application of the person making such sale, or upon the petition of the guardian of such infant, order and direct the money arising from such sale to which such infant shall be entitled to be paid to the guardian of such infant, upon the filing in said court of a certificate from the register of wills of the county or city in which letters of guardianship have been granted, that the guardian of such infant has filed in the orphans' court of the county or city, granting letters of guardianship, a bond, which bond shall be in the judgment of the court making such decree, order or direction, in an amount and with security sufficient to protect such infant in the premises.

This and the three following sections held to apply where a decree was passed prior to the adoption of the Code of 1860, but the sale took place thereafter. These sections as they stood prior to the Code of 1860, discussed. *Gill v. Wells*, 59 Md. 499. And see *Roche v. Waters*, 72 Md. 270.

This section referred to in determining that a guardian who invests money belonging to his ward without first getting an order of the orphans' court, is responsible for ensuing loss. *Carlyle v. Carlyle*, 10 Md. 445.

For cases involving this section as it stood prior to the act of 1890, ch. 18, see *Bernard v. Equitable Trust Co.*, 80 Md. 124; *Benson v. Benson*, 70 Md. 257; *Gill v. Wells*, 59 Md. 500; *Clay v. Brittingham*, 34 Md. 676.

This section referred to in construing sec. 64—see notes thereto. *Mumma v. Brinton*, 77 Md. 200.

See notes to sec. 63.

See art. 93, sec. 180.

An. Code, 1924, sec. 69. 1912, sec. 67. 1904, sec. 63. 1888, sec. 58. 1816, ch. 154, sec. 8.

73. No part of the principal arising from such sale of any real estate shall be applied to the maintenance of any infant, unless the court shall consider it necessary and order the same to be done.

This section referred to in dealing with the proceeds of a sale of infants' lands. *Tilly v. Tilly*, 2 Bl. 444.

See sec. 104 and notes to secs. 63 and 72.

See art. 93, sec. 174.

An. Code, 1924, sec. 70. 1912, sec. 68. 1904, sec. 64. 1888, sec. 59. 1816, ch. 154, sec. 13. 1831, ch. 311, sec. 9.

74. Where an infant is seized of a reversion dependent upon a life estate, the court may, with the assent of the tenant for life, decree a sale thereof, and order the annual interest, or such part thereof as may be deemed equitable to be paid to the tenant for life during his life.

This section referred to as showing that it was not deemed just in every instance to award the tenant for life all of the interest from the whole of the purchase money. *Williams' Case*, 3 Bl. 266.

See notes to sec. 72.

An. Code, 1924, sec. 71. 1912, sec. 69. 1904, sec. 65. 1888, sec. 60. 1816, ch. 154, sec. 9.

75. Upon the death of such infant under age, intestate and without issue, the proceeds of such sale shall descend or be distributed as the property or estate would if it had not been sold.

This section referred to in illustrating the policy of the law with reference to the right of heirs. *Betts v. Wirt*, 3 Md. Ch. 117.

For the application of this section, see *Dalrymple v. Taneyhill*, 4 Md. Ch. 173. And see *Williams' Case*, 3 Bl. 204; *Jones v. Jones*, 1 Bl. 458.

See notes to secs. 63 and 72.

See art. 93, sec. 171.

An. Code, 1924, sec. 72. 1912, sec. 70. 1904, sec. 66. 1888, sec. 61. 1828, ch. 184.

76. If any person shall secrete an infant against whom process has issued, so as to prevent the service of such process, such person shall be