

may be necessary for the maintenance and education of the ward, shall be invested in like manner under the direction of the court, and no part of the principal shall be applied to the maintenance or education of the ward, unless a court of equity shall so direct.

1872, c 403
Such invest-
ments to be
made in name
of ward

26. All moneys invested under the preceding section shall be invested in the name of the ward, and shall be transferable only under the order of the Orphans' Court, and all transfers without such order shall be void, and whenever the Orphans' Court shall in its discretion authorize a guardian to invest or mortgage the proceeds of the sale of real estate belonging to his ward, and sold by a trustee in equity, the affidavit of consideration to such mortgage shall be made by the guardian of such ward.

Art 93, s 193
1729, c 24, s 7.
Persons enter-
ing lands of
orphans, tres-
passers

27. It shall not be lawful for any person whatsoever, not being guardian, or not having license from a guardian, to enter into, possess or occupy any lands or tenements belonging to any orphan or orphans, without first applying to the Orphans' Court where the land lies, and obtaining leave from them for such rents as they shall think just and reasonable, to be paid to such orphan or orphans, on pain of being trespassers, and paying treble damages and full costs to such orphan or orphans, to be recovered by the guardian during the orphan's minority, or by the orphan when at full age.

Id s. 194.
1729 c 24, s 9
Proceedings, in
case of waste by
guardian

28. Whenever the Orphans' Court shall be in any manner informed of any waste being done by any guardian upon any orphan's estate, the said court shall issue their warrant to cause such guardian to appear before them, and if upon the said guardian's appearance before them, and being heard in his defence, or on his refusal to appear, being summoned, such information shall appear to be true, the said court shall order the sheriff, with all possible speed, to summon a jury upon the place where the waste shall be committed, to inquire upon their oath into the same, and of what damage such waste shall be to such orphans, which being returned to the said court, they are hereby required to oblige the guardian to give security for double the damages that shall be assessed by such jury, and in case of refusal, to commit such guardian to prison, there to remain until he shall comply with their order therein.

GUARDIAN'S ACCOUNTS, SALES, ETC.

Art 93 s 153.
1820, 174, s 2
Administrator
acting as guar-
dian

How to account

29. When a guardian or guardians shall be appointed to an infant, for whom an administrator has been acting as guardian, or the said infant shall arrive at age, or if a female, be married—which ever shall first happen—the administrator shall render to the Orphans' Court an account on oath of the manner in which the duties imposed by the fourteenth and fifteenth sections of this article have been discharged, in the same manner and upon the same principles as guardians are hereinafter required to settle their accounts, and subject to the like control and authority of the court in all respects; and the said account shall be separate and distinct from the administration of the personal estate of the deceased; and the Orphans'