

applied without the order and consent of the orphans' court first had and obtained.

P. G. L., (1860,) art. 93, sec. 172. 1816, ch. 154, sec. 7. 1872, ch. 403.

**172.** 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.

*O'Hara v. Sheppard*, 3 Md. Ch. 306.

*Ibid.* sec. 173. 1843, ch. 304, secs. 1-2.

**173.** No guardian shall sell any property of his ward without an order of the orphans' court approving the bond of such guardian being first had and obtained; and any sale or removal without an order of court previously had, shall be void, and no title shall pass thereby to the purchaser, and his guardianship may be revoked, and the same proceedings relative thereto shall be had as are prescribed herein in regard to sales made by administrators without such order.

*Jenkins v. Walter*, 8 G. & J. 218. *O'Hara v. Sheppard*, 3 Md. Ch. 306. *Mayor & C. C. of Baltimore v. Norman*, 4 Md. 352. *Carlisle v. Carlisle*, 10 Md. 440. *Dugan v. Hollins*, 11 Md. 42. *Scott v. Fox*, 14 Md. 394. *Sullivan's Admr. v. Howard*, 20 Md. 194. *Tyson v. Latrobe*, 42 Md. 325.

*Ibid.* sec. 174. 1843, ch. 304, sec. 3.

**174.** When there are two or more guardians, and the sale or removal has been made without the consent of all, the revocation shall only extend to the person or persons so offending, and the remaining guardian or guardians shall have full power to discharge all the duties connected with his or their office.

*Ibid.* sec. 175. 1843, ch. 304, sec. 4.

**175.** Nothing herein shall apply where a guardian has been appointed by will, with power to sell property without making a return of such sale to the orphans' court.