

**CHAP. 201.** entitled to any legacy, bequest or distributive share of any personal property in the hands of any executor or administrator in this State, and such infant if male, is or shall be under the age of twenty-one years, or if female, under the age of eighteen years, and not residing in this State, nor having any guardian therein, but residing in some other State or Territory of the United States, and having a guardian in such other State or Territory, duly qualified according to the laws thereof, and who shall have there given good and sufficient security for the faithful performance of his or her trust as such, or in words to that effect, and who as guardian hath or shall then have the custody of the person of such infant; then the Orphans' court of the county in which the said executor or administrator may have administered in this State, shall upon the petition in writing of such guardian, setting forth the premises, and stating the entire amount of the personal property including that in this State, belonging to such infant, and also the amount of the income of the real estate, if any of such infant which hath come or is likely to come into the hands of such guardian, and accompanied by a copy duly authenticated of the record of his or her appointment and qualification as such guardian, and of the bond or other instrument or security so given as aforesaid, verified as to the truth of the facts set forth in said petition, by the affidavit of such guardian; and as to the sufficiency of such security, all things being considered by the affidavit of the chief clerk or prothonotary of the court, tribunal or authority by whom such security was taken, or of some other disinterested and credible witness or witnesses; and upon the said Orphans' court being satisfied of the truth of the facts set forth in such petition as aforesaid, and of the sufficiency of such security, order and direct the said executor or administrator to pay, transfer or deliver such legacy, bequest or distributive share to such guardian at such time, and in like manner by order of court as is provided by the laws of this State, in the cases where the said parties and infants are residents within the State, and on failure of any executors or administrators to comply with such order, the same proceeding may be had against said executor or administrator, upon his bond or otherwise, as is now provided by law for the payment of legacies and bequests, and the distribution of intestate estates as shall appear reasonable, that is to say, such direction shall be given, in the case of a legacy or bequest, as soon as it can be done without prejudice to the party administering, and in the case of a distributive share as soon as it can be ascertained, and on failure of any executor or administrator to

Non-resident guardians of infants living of this State.

Make affidavit

Proceedings against executor.

Section 1. It is enacted by the General Assembly of Maryland, That where any infant is or shall hereafter be