

pointment or qualification antedating June 1, 1929, or to affect, in any way, any provision of law relating to the transferring of property in this State belonging to wards in another state or country.

Orphan's Court

[264] 56. Power to remove guardian.

The court may on the application of any infant or anyone in his behalf suggesting improper conduct in any guardian whatever, either in relation to the care and management of the property or person of the infant, or physical or mental incapacity of the guardian to properly fulfill his duties and the purposes at the office, or any other matter or thing whereby it appears that the guardian is or has become unable to bestow such direct personal care and supervision over the person or estate of his ward as is requisite to the proper discharge of the duties of guardianship, inquire into the same, and, at its discretion, remove such guardian and make choice of another who shall give security and conduct himself in the manner herein prescribed and shall receive the property and custody of the said ward.

[274] 57. Power to remove and grounds for removing [executors, administrators and] guardians.

The orphans' court may, upon the suggestion of any party in interest, including a creditor, or of the register of wills, remove [an executor, administrator or] guardian, who shall have left the State and have failed in any of his duties required to be performed by him as such [executor, administrator or] guardian; provided, however, that no order to this effect shall be passed until after two non ests to a citation to appear in court and to show cause and, provided further, that copies of each of the two notices to appear, shall be sent to such [executor, administrator or] guardian by registered mail, to his last known address.

[275] 58. [Executors, administrators and] guardians in war service.

(a) *Meaning of fiduciary.*—For the purposes of this section the term fiduciary shall comprehend a[n executor, administrator or] guardian to whom letters [testamentary, or of administration or] of guardianship have been granted by any orphans' court of the State of Maryland at any time prior or subsequent to March 31, 1943, and any [executor or] guardian named in a will whensoever executed who has not yet qualified as such.

(b) *Who deemed engaged in war service.*—For the purposes of this section a fiduciary shall be deemed to be engaged in war service:

(1) If he is a member of, or detailed for duty with, the military, naval or other armed forces of the United States or of any allied or associated power, or if he has been accepted for such service and is awaiting induction into such service; or

(2) If he is engaged in any work in connection with a governmental agency of the United States or in connection with the American Red Cross Society or any other similar organization making it temporarily impractical for him to efficiently perform the duties of