

such property wherever situated in this State, and to sue for and recover such debts or choses in action from all persons or corporations in this State, and from all estates upon which letters testamentary or of administration shall have been granted, and to act in all respects as if such guardian had been duly appointed by some one of the orphans' courts in this State; provided, however, that before any such order shall be passed, such guardian shall first file a petition, setting forth the fact that such non-resident infant is or claims to be entitled to such property, debts or choses in action, as hereinbefore mentioned, and shall also give bond, with security to be approved by the said orphans' court, in the same manner as if such infant resided in this State.

See notes to sec. 197.

1904, art. 93, sec. 196. 1888, art. 93, sec. 196. 1860, art. 93, sec. 196. 1844, ch. 201, sec. 1. 1846, ch. 300, sec. 1. 1847, ch. 138, sec. 1. 1852, ch. 297, sec. 1. 1890, ch. 253. 1892, ch. 557.

197. If any non-resident infant shall be entitled to any legacy, bequest or distributive share, or to the proceeds of any sale made under a decree of a court of equity or to any money or personal property in the hands of a trustee appointed by will or shall be entitled to the proceeds of sale of property in this State or to any legacy, bequest or distributive share of any personal property in the hands of any administrator or guardian in this State, and such infant has a guardian regularly appointed in this State, district or territory of the United States in which such infant resides, such foreign guardian may obtain an order from the proper court for the payment, transfer or delivery of such proceeds, legacy, bequest or distributive share upon the terms prescribed in the next two succeeding sections.

This section only applies where there has been a perfect conversion of realty into personalty, and a fund thereby created which ought to follow the domicile of the owner. This section construed in connection with article 16, section 57, *et seq.* *Clay v. Brittingham*, 34 Md. 676; *Bernard v. Equitable*, etc., *Trust Co.*, 80 Md. 124.

The application of this section is not limited to cases where there is no guardian in this state. This section construed in connection with section 190, and with article 16, section 57, *et seq.* *Bernard v. Equitable*, etc., *Trust Co.*, 80 Md. 122.

Where an infant is a resident when his guardian is appointed but afterwards becomes a non-resident and has a guardian in another state, this section authorizes a transfer of the infant's property. *Baldwin v. State*, 89 Md. 600; *Baldwin v. Washington County*, 85 Md. 158.

The right to appoint a guardian is not affected by the fact that a court of some other state has made a similar appointment. There may be a domestic guardian having charge of the infant's property and a foreign guardian having charge of his person. A guardian appointed in another state has no authority to sue here. *Kraft v. Wickey*, 4 G. & J. 342.

Ibid. sec. 197. 1888, art. 93, sec. 197. 1860, art. 93, sec. 197. 1844, ch. 201, sec. 1. 1846, ch. 300, sec. 1. 1847, ch. 138, sec. 1. 1852, ch. 297, sec. 1.

198. The foreign guardian claiming under the preceding section shall state by petition that he is duly appointed guardian to such infant by the proper authority of the State, district or territory where the