

Case No. 1,935.

BROOKE v. POTOWMACK CO.

[1 Cranch, C. C. 526.]¹

Circuit Court, District of Columbia.

Dec. Term, 1808.

GUARDIAN AND WARD—POWERS OF GUARDIAN.

A guardian appointed in Prince George's county, in Maryland, is competent to give a valid receipt for the purchase-money of land in Montgomery county.

At law. Assumpsit on an award. Upon a case stated, the question was, whether Brooke was entitled to interest before he came of age, it being alleged that there was no person competent to receive the money, the plaintiff having been a minor on the 20th of July, 1799, when the award was made. Beale was appointed guardian of Brooke in Prince George's county, where the administration of the personal estate was granted, but the land condemned for the use of the Potowmack Company and submitted to the award of arbitrators, was in Montgomery county.

F. S. Key, for defendant, contended that Beale had no authority to receive the purchase-money, because he was not appointed guardian in Montgomery county.

Judgment for the plaintiff, THE COURT being of opinion that a guardian appointed in Prince George's county, was competent to receive the purchase-money in Montgomery county.

¹ [Reported by Hon. William Cranch, Chief Judge.]