

Although the property of a lunatic cannot, either by a Court of common law or equity, be removed beyond the reach of his credi-

interest during the said war; and indeed the parties have never claimed it. This is the only case in which the point has been made; and as it is a question of law, which probably may come before the General Court in some other case, he takes the liberty of requesting the honorable the Judges of the said Court to favor him with their opinion on the subject.

On the 7th of October, 1803, the Chancellor again, by an order, asked the opinion of the Judges of the General Court; but nothing further appears to have been done in the matter. By the Act of 1806, ch. 55, s. 2, the Chancellor may require the opinion of the Chief Judge of the third judicial district on any question of law, &c.

BOUCHER v. BRADFORD.—This bill was filed on the 18th of February, 1789, by John T. Boucher and others against Eleanor Bradford and others, the administratrix and the infant heirs of Henry Bradford, deceased. It states, that the deceased was indebted to the plaintiffs as therein specified; that his personal estate was insufficient to pay his debts; and that he left real estate which could not be made answerable for the satisfaction of the said claims during the minority of the said infants, but by the aid of this Court, &c. Prayer that the realty might be sold, &c. The defendants answered, after which the case was brought before the Court.

HANSON, C., 20th June, 1793.—Decreed, that the real estate of the said Henry Bradford, deceased, which hath descended from him, or by him been devised to the defendants, his heirs, be sold for the payment of his just debts: it appearing to the Chancellor, that his personal estate is insufficient for that purpose; and several of the claims of the plaintiffs being established to the Chancellor's satisfaction, &c., &c., the purchaser giving bond with good security to the trustee as such, &c. &c.

KILTY v. BROWN.—This was a creditor's bill, filed on the 7th of January, 1807.—William Kilty, the then Chancellor, being the only plaintiff and originally suing creditor, the bill was, according to the Act of 1805, ch. 65, s. 19, addressed to the Chief Judge of the third judicial district. The bill stated that John Brown, deceased, was indebted to the plaintiff on several claims, one of which was "on a note executed by the said John Brown, with Rinaldo Johnson as his security, to Nathaniel Washington, for the sum of sixty-seven pounds, current money, bearing date the fifteenth day of December, seventeen hundred and ninety-eight; which note was assigned by the said Nathaniel Washington to this plaintiff;" and that the personal estate of the deceased was insufficient to pay his debts—whereupon it was prayed that the real estate might be sold, &c.

One of the heirs, a defendant, answered and said, that he admitted the note, but believed "that the said Johnson was not solely the security; but that both him and the father of this defendant were both jointly indebted in the sum for which the said note was given."

After which the plaintiff by his petition, without oath, prayed that he might be permitted to proceed against the defendant who had appeared as the heir at common law of the deceased, and by an order of publication against his other heirs, under the Act of 1797, ch. 114.

J. T. CHASE, Chief Judge, 15th June, 1807.—The object of the bill in this case is to compel the defendants, &c. &c. It is stated by the plaintiff, being