

JURISDICTION.—*Continued.*

3. In all cases where the jurisdiction of the ordinary tribunals falls short, the Chancellor may, on petition without suit, appoint a guardian to an infant; and provide for his education and maintenance, and the management of his estate. *Ib.*
4. But under a *habeas corpus*, the judicial authority extends no further than to the discharge of a citizen from illegal restraint. *Ib.*

LAND PATENT.

See LAND WARRANT.

LAND WARRANT.

All common warrants must be lodged with the principal surveyor, and entered in the manner prescribed; otherwise surveys made under them, will be deemed void as against others regularly made.—No positive rule, or law can be suffered to be made the instrument of fraud.—Where there is a material difference between the location in the surveyor's book, and the actual survey, the latter is taken as a virtual abandonment of the former.—In caveat cases, there being no appeal, it is usual, where there is a reasonable doubt, to let the patent go, so as thereby, in effect, to give the parties the benefit of an appeal. *Railroad v. Hoye*, 242.

LEGACY.

1. There may be cases, where the bringing of a suit by a legatee is prohibited, with a bequest over, that the bringing of a suit will be a forfeiture. *Contee v. Dawson*, 248.
2. Where the will declares that any legatee who controverts the disposition made of the estate shall, by so doing, forfeit his legacy, such provision is *in terrorem* only, and no forfeiture will be incurred by contesting any disputable matter, in relation to it, in a Court of justice. *Ib.*
3. How and when, under the peculiar expressions of a certain will, the legacies thereby given will vest. *Ib.*
4. Contingent legacies ordered to be brought in and invested, to await the contingency. *Ib.*
5. Where a sum is directed to be invested, and the investment is given to one for life, with remainder over, the interest which accrued before the investment, was held to be a part of the sum directed to be invested. *Ib.*
6. In general, pecuniary legacies bear interest from the end of one year from the death of the testator. *Hammond v. Hammond*, 287.
7. Where one legacy is substituted for another, the substitute will, in general, carry with it the same incidents as the original. *Ib.*
8. A legacy to a woman directed to be put out on good security, and the annual interest to be paid to her during her life, remainder to her children should not be placed in the hands of her husband on any terms, or be lent on mere personal security. *Jones v. Stockett*, 392.
9. The legatee for life, of such a legacy, should be heard as to the mode of putting out the legacy; the Court, considering itself as *ex officio* guardian of the interest of those in remainder, the legacy was, on the suggestion of the legatee for life, invested in bank stock; and the loss of interest, which might have been made, from the time the