

maintenance, even should it have been thus applied; but that the trustees have inhumanly and shamefully neglected to furnish him with the comforts of life, by withholding from him such clothing as was almost indispensable to his existence; and also by placing him in a house not fit for his residence; and leaving him, unattended, to the great danger of his personal safety, if not of his life; that the trustee Mary Ann Manning was a very old and infirm woman, and entirely incapable of attending to the well being of the lunatic. Whereupon, the petitioner prayed, that he, or some other suitable person might be appointed trustee, &c.

\* KILTY, C., 4th January, 1815.—The register is directed to file the within petition, and to issue subpoenas to Mary Ann Manning and Ignatius Manning, returnable to February Term next; at which term a further order will be made for procuring testimony and hearing the petition. **93**

To this petition the trustee Ignatius Manning put in his separate answer, on oath, in which he positively denied the charge of neglect and of inhuman or cruel treatment of the lunatic; and averred, that he had been always treated with all the humanity and care which could be bestowed; and that he had had every comfort a man in his situation could have, and had lived in a house very near to, and spent most of his time in the same house with the other trustee Mary Ann and her son John H. Manning, who had bestowed great care and attention upon him. This respondent admitted, that the other trustee, his mother, was old and infirm, and had not had the management of the trustee's estate; and this respondent further stated, that the lunatic's lands were only tolerably good; that the greater proportion of his negroes were young and unprofitable, so that the annual proceeds of the whole estate had not been more than sufficient to maintain the lunatic, and rear his negroes; and that the increase of the negroes constituted the chief or only enhancement in the aggregate value of the estate; that if the negroes were to be hired out and dispersed, they might run away, and be wholly lost; he therefore suggested the propriety of having them sold, and the proceeds invested in some public funds, &c.

After which the trustees, by their petition stated, that the produce of the lunatic's estate was scarcely sufficient to maintain him and his slaves; that the situation of the lunatic was such as to make it very difficult to take care of him, unless he was placed in a hospital; and that it would be more to his advantage, that his negroes should be sold, and the money vested in some productive fund; and that his lands should be rented. Whereupon they prayed, that they might be authorized to sell the negroes and invest the proceeds, and to place the lunatic in a hospital, &c.