

the sheriff on the subpoenas issued in pursuance of the * order of the 15th day of July last, that John H. Manning, **95** one of the trustees, is dead; that Ignatius Manning, the other trustee, now resides out of the State; *Ex parte Ord. 4 Cond. Chan. Rep. 44*; and that the grant or appointment made by the orders of the 13th of November, 1810, and of the 20th of November, 1820, were joint, a mere authority without any interest, which determined by the death of one of the trustees. *Ex parte Lyne, Cas. Temp. Talbot, 143*; *Ex parte Clarke, 4 Cond. Chan. Rep. 279*. It is therefore ordered, that the appointment of the said Ignatius Manning as trustee of the said lunatic, be and the same is hereby annulled.

And it is further ordered, that the care, custody, and charge of the person and of the estate, real and personal, of the said Cornelius Boarman, a lunatic, be and they are hereby committed unto James Boarman, of Charles County, one of the next of kin of the said lunatic: provided, that before the said James Boarman shall act as trustee as aforesaid, he shall file with the register a bond to the State, executed by himself, and a surety or sureties, to be approved by the Chancellor, in the penalty of ten thousand dollars, conditioned for the faithful performance of the trust reposed in him by this order; and for returning to this Court, within six months from the date thereof, an inventory of the real and personal estate of the said lunatic which shall come to his hands, or be known to, or discovered by him; and for delivering the same up agreeably to the Chancellor's order; and to account for the proceeds of the same to the lunatic's use, and in such manner as the Chancellor shall direct by any future order.

The trustee Boarman gave bond accordingly. Soon after which, Ignatius Manning by his petition, on oath, stated, that he had resided within the District of Columbia ever since the year 1817, which fact was well known to the Chancellor when he passed the order of the 20th of November, 1820; that the lunatic then occupied the same house in which he had resided for the last thirty years, and which was then every way good, sufficient and suitable for him; that he was taken great care of by the petitioner's brother, to whom he was attached; that the conduct of the petitioner, in relation to the lunatic and his estate, had been in all respects fair and upright; that having been authorized by the previous orders of this Court to use the lunatic's estate as his own, the * order of the 11th of April last operated oppressively upon **96** him, inasmuch as he had commenced and was then carrying on a crop with the negroes; that James Boarman was a man of bad character, and, his sureties, although respectable men, were not sufficient for the purpose. Whereupon this petitioner prayed