

The trustee *Ignatius Manning* put in his answer on oath, as required, in which he stated, that he had delivered over to the administrator of the late lunatic, all his personal estate, except the one-third part of the sum of £353 7s. Od. which could be deducted from the proportionate part of the said lunatic's estate, due to this respondent as one of his heirs, &c.

After which, the administrator *Boorman*, by his petition stated, that the personal estate of his intestate had been sold under an order of the Orphans' Court; that *Ignatius Manning* had purchased to a large amount at that sale; and that no distribution could be made of the intestate's estate but by his administrator. Whereupon he prayed, that the trustee *Ignatius Manning* might be ordered to pay, or bring into court the sum of £353 7s. Od. for which he had admitted himself to be accountable, &c.

15th June, 1829.—BLAND, Chancellor.—Ordered, that the said *Ignatius Manning* forthwith pay unto the petitioner *James Boorman*, as the administrator of *Cornelius Boorman*, or bring into this court the sum of £353 7s. Od. together with legal interest thereon, from the first day of the present month; the said *Ignatius* having then failed fully to account, or show good cause as directed by the order of the 6th of February last.

This order having been served, and not having been complied with, on application, an attachment was ordered. After which, the trustee *Manning* by his petition stated, that the sum of £353 7s. Od. had come to the hands of his father, who was the first trustee, and on his death it had been, by his direction, and with consent, distributed among his three sons, as the next of kin of the lunatic, who would be entitled to it after his death; so that no more than one-third part of that amount had ever, actually, come to the hands of this trustee; that he had consented to this arrangement; and now deemed it admissible, because he and his brothers, among whom it had been divided, were, as the lunatic's next of kin, entitled to a distributive share of his estate, much larger in amount than the sum of money thus returned. Whereupon the petitioner prayed, that the amount might be discounted from the distributive shares of the intestate's estate, to which they were entitled, or that all further proceedings in this court might be suspended until a settlement could be had with the Orphans' Court, &c.

1st August, 1829.—BLAND, Chancellor.—The petition of *Ignatius Manning* having been submitted, the proceedings were read and considered.