

imbecile person, who has instituted a suit, may be taken care of, and that he may be enabled to perform a duty, his solicitor may be directed to sustain and prosecute the suit for his benefit; or a guardian may be appointed for the special purpose of executing the act required, according to the nature of the case. (f)

Whereupon it is *Ordered*, that *Louis Mackall* be and he is hereby appointed guardian of the defendant *Benjamin B. Mackall*, to make answer to the said bill of complaint in his behalf, and in all respects to defend and protect his interests in this suit.

On the 27th of April, 1830, the lunatic defendant answered by his guardian. The other defendants put in their answers, in which they all admitted the claims of the plaintiffs; that the personal estate of the deceased was insufficient to pay his debts; and consented, that a decree should pass as prayed.

4th May, 1830.—BLAND, Chancellor.—Decreed, that the real estate of *Benjamin Mackall*, deceased, be sold; that *John Johnson* and *Thomas S. Alexander* be appointed trustees to make the sale, &c.; the terms of which shall be, one-third of the purchase money to be paid in six months, one other third in twelve months, and the residue in eighteen months from the day of sale; with interest from the day of sale, &c. That notice be given to the creditors of the deceased to file the vouchers of their claims within four months from the day of sale. And that the defendant *Louis Mackall*, the administrator *de bonis non* of the deceased, account, &c.; which account the auditor is directed to state from the evidence now in the case, and such other evidence as may be produced before him by either party, on giving the usual notice, &c.

After which the trustees reported that they had given notice to the creditors; and had made sales of the real estate of the deceased on the 26th of July, 1830, to the amount of \$10,275 92; which were finally ratified on the 20th of November, 1830.

On the 10th of February, 1831, the plaintiffs filed their bill in the nature of a supplemental bill against *Christiana Mackall*, the widow of *Benjamin Mackall*, deceased, in which they state, that in pursuance of the decree of the 4th of May, 1830, and the notice to creditors, *The President, Directors and Company of the*

(f) 1 Fonb. Eq. 64; Donegal's case, 2 Ves. 408; *Wartnaby v. Wartnaby*, 4 Cond. Cha. Rep. 173; *Colegate D. Owings' case*, 1 Bland, 372.