

committee, and a strong ground must be shown before it will be disregarded. *In the matter of Mary Livingston, a lunatic*, 1 Johns. Ch. Rep., 436. *Ex parte Cockayne*, 7 Ves., 591. *Ex parte Le Heup*, 18 Ves., 227. If in this case there exists any ground for supposing that Mr. Ellicott, in managing the estate of this unfortunate lady, would consult rather the interests of the persons who may succeed to it upon her death than her comfort and welfare, the Court would undoubtedly give full weight to that consideration. But no such ground appears. On the contrary, forming an opinion on the evidence, there is every reason to believe he will discharge his trust with fidelity, alike to the lunatic and to those who, upon her death, may be entitled to call upon him for an account of his stewardship.

The Court might, in the exercise of its discretion, associate another with him in the trust, but this is not often done; and there are reasons which frequently, and perhaps in this case especially, render it inexpedient. It has been suggested, and authorities cited to show, that persons embarrassed by pecuniary difficulties, and who, under the pressure of such difficulties, might be tempted to use the money or estate of the lunatic improperly, are not fit to be placed in offices of this description. That such a consideration is entitled to weight, is shown by the case of *Ex parte Proctor*, 1 Swanston, 531, 533; and I am free to say, that if I could see in this evidence any reasonable ground for apprehending that Mr. Ellicott would be likely to employ the money which may come to his hands, as committee of this estate, in his own affairs, or for his own benefit, it would operate with powerful force against his appointment. But I can see no such ground in the proof; and besides, the very character of the order of appointment, and the security which will be taken for the performance of the duties of the committee, render any misapplication of the trust estate extremely improbable. The committee, by the terms of the order, is required to return an inventory of the lunatic's estate within six months from the date of the order, and to account for his receipts and expenditures once in each year, and oftener, if required.