

The case stood over accordingly, after which time, at the instance of the claimants *Stone & McWilliams*, it was again brought before the court.

26th March, 1831.—BLAND, Chancellor.—It appearing from a careful inspection of the voucher of claim No. 5, which was filed on the 27th of December last, that the injunction by which the execution of the judgment might have been, at one time suspended, had been dissolved; and the voucher of that claim having been filed long after the expiration of the time allowed for the creditors to bring in their claims; and the other objections to it, as stated by the auditor, not having been removed, as allowed by the order of the 7th of February last. It is therefore *Ordered*, that the said claim of *Philip Turner*, designated as claim No. 5, be and the same is hereby rejected; and the trustee is directed to apply the proceeds, awarded by the auditor to it, in satisfaction of the said claim of *Stone & McWilliams* designated as No. 3.

From these last orders, of the 18th of January, 7th of February and 26th of March, 1831, the petitioners *Lee* and wife and *Richard Jordan* appealed, and they were at the December term, 1832, of the Court of Appeals, affirmed. *Lee* and wife and *Jordan v. Stone & McWilliams*, 5 G. & J. 1.

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#### MORGAN'S CASE.

On a petition and affidavit, that a certain person is of unsound mind, a writ *De Lunatico Inquirendo* may be issued. A trustee of a lunatic may decline to continue to act as such. No one should be appointed trustee or committee of a lunatic who is not a resident of the state. Where there is a doubt as to the soundness of mind of one who has been declared a lunatic, he should be apprised of the fact, and of the Chancellor's readiness to hear any communication from him or on his behalf. A lunatic's runaway slave, who has been apprehended, may be sold and the proceeds of the sale invested for the benefit of the lunatic.

On the 15th of September, 1806, *John Nabb*, by his petition, stated, that *Charles Morgan*, of Talbot county, a relation of his by marriage, was incapable of managing his affairs, and a lunatic; wherefore he prayed that a writ *De Lunatico Inquirendo* might be issued, &c. To this petition was subjoined an affidavit of two persons stating, that they had known *Morgan* for some time past, and believed him to be a person deprived of his reason. Where-