

charge, or interrogatory in the bill, is not fully answered. *Bladsell vs. Stephens*, 16th Ves., 179; *Stafford vs. Brown*, 4 Paige, 88. It is only where the allegations and interrogatories of the bill are not fully answered, that the defendant can be urged to a fuller response by exceptions.

The 4th exception in this case takes the ground that the defendant was called upon by the allegations and interrogatories of the bill to give a detailed account of the trust since it came under his charge, either as *agent* or trustee, and the objection now urged is, that he has not given such account as *agent*.

But upon examining the bill with some care, I do not find that he is called upon by its allegations and interrogatories to give such account, as *agent*.

It is true, the fact of his having become, and having acted as agent is alleged; but it is not averred that he received money as agent; and in the interrogating part of the bill, the defendant is called upon to give a particular and detailed account of the business of the trusts, showing the amounts received, and payments made from the trust funds. He is not required to give such an account as *agent*, or *trustee*, as the exception assumes; but simply an account of the business of the trust; and there is nothing in the bill which negatives the idea that the defendant had not settled his account as agent, with his principals, the original trustees, as it was his duty to do. The court must see, by referring to the bill alone, in connexion with the exception, that the precise matters as to which a further answer is sought, are stated in the bill, or that such an answer is called for by the interrogatories. Such is the principle settled by the case of *Stafford vs. Brown*, 4 Paige, 88, before referred to, in which the authorities upon the point seem to have been carefully examined; and such, in my opinion, should be the rule. A plaintiff should not be allowed to except to an answer for insufficiency when his own bill is inexplicit and ambiguous, and it is consequently doubtful what information he seeks to obtain from the defendant.

The representatives of the original trustees in this case are not parties to the bill, and hence it might very fairly be inferred