

and Mann, and Dawson and Norwood, and Samuel Jones, in the year 1846, received a quantity of articles made at the factory, upon which they made considerable cash advances—and that on the 20th of September, 1847, there remained a balance in their hands of \$9819 22, resulting from sales made by them.

The bill calls for an account of this property, which is included in the confirmatory mortgage of the 16th of June, 1846, and it appears by the evidence of Hancock, that when Jones, or Dawson and Norwood, took possession of the factory on the 21st of June, 1846, the stock of material on hand, worked up, and to be worked up, was worth about \$18,000. There was also evidence, that after Jones got possession of the factory, he purchased materials which were used there to the amount of \$23,000. The council for the complainants insist, that Clarke and Kellogg are responsible to the creditors under the two last mortgages, for the proceeds of the sales of manufactured articles, on hand, and made from materials on hand, on the 21st of July, 1846, except such portion thereof as was paid by them to Dawson and Norwood, and which amounted, according to the proof of Hancock, to \$3280.

Without meaning now to decide this question, the order will direct the auditor, to state such accounts as will enable the court, hereafter, to make such a disposition of it, as the rights of the parties, and the justice of the case, may seem to require.

BRENT & WILKINS for complainants.

DULANEY & ALEXANDER for defendants.