KILTY, C., 15th December, 1810.—Since the order of the 12th of September last a report has been made by the trustee of the matters directed therein; by which it appears, that the debts of Charles Rogers have been paid; except an account of small consequence; and the executors of Sarah Rogers have informed the Court, that they wait for the sanction of the account rendered by the trustee. On this part of the case the trustee is authorized and directed to pay to the said executors of Sarah Rogers the sum reported due to her representatives, being $227.83. As to the balance of $2,889.47 due to the heirs, the trustee is authorized and directed to pay one-fourth part thereof to Sarah Bailey, and to take her separate receipt therefor; according to the will of Charles Rogers; and one-fourth part to Catharine Diffenderffer, taking her separate receipt therefor. For the two other fourth parts a further order will be given on the determination of the appeal in the suit mentioned in the report.

Some years after which, the trustee Vincent, in a letter, dated on the 23d of November, 1814, addressed to the Chancellor, says: "I inform you of my resignation of the trust in the estate of the late Charles Rogers, and given it into the hands of Mr. John Diffenderffer one of the heirs-at-law." There does not appear to have been any order passed upon this resignation; but on an application, dated on the 20th of December following, made by John Diffenderffer, in which, among other things, he says, "on examining the account of Mr. Samuel Vincent, trustee of the late Charles Rogers' estate, I find that he has charged a considerable sum of money to Sarah Bailey, Ann Martin, and Mary Lee; it appears to me, by * the will of the late Charles Rogers, that they are not to receive, or entitled to any, till his debts **176** were paid, which was completed on the 9th of April, 1808."

KILTY, C., 25th March, 1815.—On the application of John Diffenderffer, who married one of the heirs, and on the resignation of Samuel Vincent the trustee, the Chancellor has examined the former proceedings. Before any further order can be made it will be necessary for him to be furnished with a transcript of the proceedings in the suit by Mrs. Bailey and Mrs. Diffenderffer, which were carried to the Court of Appeals as mentioned in the report of Samuel Vincent.

This case having been again brought before the Court, and some further explanations given as to the particulars mentioned in the last report of the trustee Vincent.

KILTY, C., 8th July, 1817.—It being represented, that there is an error in the report, as to the suits in the Court of Appeals men-