

And it is further decreed, that William S. Winder and Araminta Winder his wife, in right of the said Araminta Winder, shall hold in severalty and not jointly with the other parties to this suit, one third of the real and leasehold estate within the lines of Gallow Barrow and Rogers' Inspection, of the estate of Charles Rogers deceased, and which is particularly designated and described by commissioners in their said return as follows, &c. : (So in like form as to the others.)

And it is further decreed, that each of the before mentioned parties, among whom the property and estate hereinbefore mentioned, has been divided; and to whom it has been adjudged to be held in  
**181** severalty by this decree, pay his or her own costs, to be taxed \*by the register, in due proportion to the amount of property to him or her adjudged and awarded.

The auditor reported on the 10th of November, 1828, that he had stated several accounts, some at the instance of the plaintiffs; and others according to the instructions of the defendant John Diffenderffer; and had then stated an account marked D agreeably to his own views of the justice of the case; in which he had allowed the trustee Diffenderffer a commission of ten per cent. as allowed to the former trustee; but he had charged interest on the balances in the trustee's hands at the end of each year. As these balances consisted in part of interest, charged on former balances in hand, the trustee was thus charged with compound interest. But as this account might, in this particular, be questioned, he had stated another account, in which interest was not so charged. And that in continuation of each account he had distributed the balance, in the trustee's hands, amongst the plaintiffs and the infant defendants; allowing the complainants one-third of the balances, and to each of those defendants one-third of the remaining two-thirds.

To these accounts the plaintiffs filed the following exceptions: They excepted to account A; because, interest is not properly charged therein; because, a credit is allowed for various sums for which no credit can, or ought to be claimed; because, a commission is therein allowed to John Diffenderffer; because, a credit is allowed for rent, not received of Mrs. Sparks' family, under a representation, that it was lost by default of the complainants' solicitor, when, in truth, no such default ever existed, and no proof is made of it; and because, in other respects, the account is insufficient and defective and against the proof in the cause. They excepted to account B; because, interest is not properly charged therein; because, various credits are there given which ought not to be allowed said Diffenderffer; and because, the account is defective and unsupported by proof. They excepted to account D; because the trustee is allowed a commission of ten per cent.; because interest is improperly charged, not a sufficient amount being al-