

late trustee William Dawson, specifies as the amount of the proceeds of the sale of the stock is formed altogether of that in which the capital of the legacy itself had been regularly invested; and for the whole amount of which his representative, the defendant Eleanor Dawson, is chargeable.

It is objected, by one of the exceptions of the defendant Eleanor Dawson; that if she was liable for interest at all, it could only be from the death of Margaret R. Clerklee, which happened on the 23d of November, 1818, and not on the 15th of October of that year. The only proof in relation to the time of the death of Margaret R. Clerklee, is that she died in the fall of the year 1818. The long established rule of the Court, in this respect, is, that where it becomes necessary to determine the price or value of any thing, and the witnesses differ, to strike an average, and to take the mean as the true price or value, or where, as in this instance, it becomes necessary to ascertain the exact date of an event, and it is only proved to have happened within a certain designated space of time, that the medium shall be assumed as the true date **299** * when it happened. And consequently, the auditor was correct in this instance, in assuming the 15th of October, 1818, as the day of the death of Margaret R. Clerklee.

Whereupon it is decreed, that the statement marked B, as made and reported by the auditor, be and the same is hereby ratified and confirmed; and that all other parts of the report of the auditor, with the exceptions of the parties thereto, which are in any manner at variance with the said statement marked B, are hereby rejected and overruled.

And it is further decreed, that the defendant Eleanor Dawson, pay or bring into this Court to be paid unto the said Edmund H. Contee, and Eleanor R. Contee his wife, the sum of \$3,064.24, with interest on the sum of \$1,991.92, part thereof, from the 19th day of September last until paid or brought into Court; and that the defendant Eleanor Dawson, pay or bring into this Court to be paid unto the said Josias Hawkins, and Caroline Ashton Hawkins his wife, the sum of \$3,186.11, with interest on the sum of \$2,316.61, part thereof, from the 19th day of September last until paid or brought into Court; and that the defendant Eleanor Dawson, pay or bring into this Court to be paid unto the said Elizabeth Clerklee, the sum of \$3,257.90, with interest on the sum of \$2,600.77, part thereof, from the 19th day of September last until paid or brought into this Court; and that the defendant Eleanor Dawson, pay or bring into this Court to be paid unto the said Margaret Clerklee, the sum of \$3,296.52, with interest on the sum of \$3,016.03, part thereof, from the 19th day of September last until paid or brought into Court; and that the defendant Eleanor Dawson, bring into this Court the sum of \$3,296.52, with interest on the sum of \$3,016.03, part thereof, from the 19th day of September last