

which he says that Stockett and Wayman, and the solicitor of Shipley, had appeared before him; that Wayman had filed his report and vouchers, with an agreement signed by the parties, and that Stockett had also filed his report, from all which, and the proceedings, as directed by the decree of the 5th of November, he had stated, first, an account between Wayman and the estate of the testator, from which it appeared that Wayman had in his hands the sum of \$3,105.75; second, an account between Stockett and the said estate, in which he was charged with the arrearages of interest on his mortgage to the testator to this date; leaving a balance in this executor's hands of \$827.04; third, an account between the said estate and Jones and wife, of their principal legacy and interest thereon. From which, it appears that, on account of the \* principal legacy of \$7,000, the sum of \$3,552 had been  
**422** invested, and the further sum of \$822.40 is deposited in Court to be invested, leaving a balance of \$2,625.60 to be provided for; and that the sum of \$97.90 was due to Jones and wife for arrearages for their annuity to this date. The auditor further says, that the parties in their agreement annexed to the report of Wayman have assumed that the sum of \$150 per annum would be a reasonable allowance for the maintenance and education of the infant Larkin from the death of the testator; and under the circumstances the auditor was inclined to adopt the estimate. The infant Larkin was admitted to be about twelve years of age, and excluding some small balances due, the amount of which could not be exactly ascertained, the residue of the personal estate, bequeathed to the said Larkin, might be assumed to consist of,

The mortgage debt of Richard G. Stockett.....	\$3,186 00
Balance as cash in his hands.....	827 04
“ in the hands of Henry Wayman.....	3,105 75
Principal debt due from Elisha Brown, of Samuel, and Samuel Brown, Jr.....	437 00
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	\$7,555 79
Which is charged with the balance of the legacy bequeathed to Mrs. Jones and children....	2,625 60
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Clear balance.....	\$4,930 19

The estate bequeathed to Larkin Shipley, including a real estate which then rented for \$36, might therefore be safely estimated to yield two hundred and fifty dollars per annum. The auditor moreover says, that it also appeared from the agreement aforesaid, that the said Larkin had been maintained and educated by his father, John Shipley, from April, 1827, to the present time; for which the proper allowance at the rate aforesaid, would be \$393.75. And that he had received on account \$70; leaving a balance due of