

ferred to a master to state any account between the parties, or to make any inquiry or statement, deemed necessary by the Court, in relation to which he was authorized, as in England, to call before him and examine witnesses upon oath; a case might be referred by a special order to persons therein named, as a kind of special masters, who were thereby virtually clothed with the authority of a master. (n) But owing, as it would seem, to the generally dispersed situation of witnesses; to the convenience of

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the land in dispute, by the name of the Vineyard, prays, that he may have leave to return a plot of the said land called the Vineyard, with their pretensions thereto; which is granted accordingly."—*Chancery Proceedings, lib. J. R. No. 2, fol. 684, 720, 759, 769.*

(n) CHESELDINE v. GORDON, *post*.

PARKER v. MACKALL.—This bill was filed on the 20th of January, 1734, by Gabriel Parker, against John Mackall. It states that the plaintiff's father, George Parker, made his last will, appointing his wife Susannah, the plaintiff's mother, his executrix, and died on the 4th of March, 1710, possessed of a great personal estate and seized of a considerable real estate, great part of which descended to the plaintiff as heir-at-law, who was then about twelve years of age; that the said Susannah, took upon herself the office of executrix, and returned an inventory; and afterwards married the defendant, by virtue of which he possessed himself of all the real and personal estate of the plaintiff's; and also got into his possession several lands and personal property of the plaintiff's, consisting of money and slaves, one of whom was an expert carpenter and cooper, which had been devised and bequeathed to the plaintiff by his grandfather, Gabriel Parrott. That the plaintiff married at about sixteen years of age, and soon after demanded of the defendant the delivery of his estate, which the defendant refused to make: except some household furniture, two negroes, and twenty sheep, which were represented to have been delivered at their appraised value, although not worth so much then as when appraised; and yet the defendant, taking advantage of the plaintiff's youth, by misrepresentation, actually charged him more than the amount to which it had been appraised. That the plaintiff had received from the defendant several sums of current money which he alleged were payments in sterling money; that after the death of the plaintiff's father, there arrived here sundry goods from England, the property of the plaintiff, which came to the hands of the defendant, and were converted by him to his use; which goods then bore cent. per cent. and upwards, advance, but were inventoried by the defendant at the prime cost in sterling money; that the defendant had actual occupation, possession and advantage of all the plaintiff's real and personal estate for five or six years before he came of age, of which the defendant made or might have made very great profit and advantage, and did not during all that time maintain the plaintiff, or make him the least satisfaction for such use and occupation of his estate. Upon which it was prayed, that the defendant might account for the personal estate, and for the rents and profits of the real estate, and the interest thereof; that he might make reparation for the waste and spoil committed by him on the plaintiff's lands and improvements: and that the plaintiff might be otherwise relieved in the premises as should seem agreeable to equity.

At May Court, 1735, the defendant exhibited his answer to the bill of complaint; and the same Court the complainant filed exceptions thereto; which