

were to be found in, or could be brought before a master in Annapolis, where the masters resided, and where the Court was held,

taken at different times and places. At St. Mary's County, the 20th day of April, 1737—same place, 21st April, 1737. At Calvert County, the 17th day of September, 1737—and at Annapolis, the 22d and 29th day of October, 1737—upon all which the case was brought before the Court.

OGLE, C., 2d June, 1738.—This case coming on to be heard and debated in presence of counsel learned on both sides, the complainant's bill and the defendant's answer, and the whole proceedings thereon being read, it appeared to be as before recited and set forth.

Whereupon this Court doth Decree, that the defendant account for the rents and profits of the complainant's real estate which the defendant received, and which were lost by his act and neglect; and also, for the profits which might have been made by the service and earnings of the mulatto man called Ned, mentioned in the proceedings; and that all just allowances be made to the defendant for his disbursements on the complainant's account, for which the defendant has not already received satisfaction; and that the master take the account and the examination of such witnesses as may be necessary, and report the same to the Court.

Pursuant to which the master made his-report, and certified the same into this Court, as follows, viz:

The examination of Samuel Taylor of Prince George's County, planter, taken before me by virtue of a decree of the High Court of Chancery, &c. Here follows the deposition of the witness, which it may be inferred from its not being said where taken, that it was taken and sworn to before the said B. Young, master in Chancery, in Annapolis. Upon which the master reported in the following words:

"In pursuance of a decretal order made in this cause, bearing date the 2d day of June last, I have been attended by the counsel for the complainant and the defendant in this cause; and the complainant having filed with me an account of his demand for the rents and profits of his real estate, which he suggested to have been received by the complainant, or lost by his act, or neglect; and also for the profits which might have been made by the service and earnings of the mulatto man called Ned, mentioned in the proceedings, the particulars whereof are set forth in the first schedule to this, my report, annexed. And the defendant having also filed with me an account of his demand for payments, and disbursements on the complainant's account, for which he suggested, that he had not yet received satisfaction, the particulars whereof are set forth in the second schedule to this, my report, annexed; and having likewise examined such witnesses as appeared to me necessary, I have proceeded to take the account.

"And I find, by the defendant's own acknowledgment, that he had the management and possession of the complainant's real estate, and the mulatto man called Ned, in the proceedings mentioned, for at least five years before the complainant came of age; and that the rents and profits of the complainant's real estate, which lies in Saint Mary's County, mentioned in the first five articles of the first schedule to this, my report, annexed, did, for the first of the aforesaid five years, amount unto the sum of 2,600 pounds of tobacco; for the next of the aforesaid five years, to the sum of 2,850 pounds of tobacco; and for the remaining three of the aforesaid five years, to the annual sum of 3,600 pounds of tobacco; which I find, by comparing the