

been common in all cases, where there were any peculiar circumstances, as to which the Court required information; or where the

knew nothing of the nature and amount of the estate which had come to the hands of the administratrix Achsa, or her husband Edward; or how that which had, as was alleged, come to their hands, had been administered. Other matters were set forth by this defendant, who, in conclusion, stated, that he was willing to account and pay under the direction of this Court.

The defendant Gale answered to the same effect; and admitted, that a sea vessel, belonging to the intestate Amos, had, since his death, been sent to Barbadoes, and had brought back a cargo of rum, &c. which had come to the hands of the administratrix Achsa. This defendant also admits, that there was on the plantation of the intestate Amos a small quantity of wheat in hand, or begun at the time of his death. And that the administratrix did sell and dispose of, upon credit, several negroes, belonging to the estate of her intestate, viz: Sarah and her sucking child, Jacob, Boson, Betty, Boson, ailing, and Beck, for £162 sterling; which were appraised to £140 current paper money. [Bills of Credit under the Act of 1733, ch. 6.] But this defendant knows nothing of the manner in which the administratrix Achsa administered or accounted for the estate of her intestate which came to her hands. This defendant concludes by declaring his readiness to account as the Court may direct, &c.

BLADEN, C., February, 1743.—Ordered, with the consent of the defendant Gale, that an allowance of £40 currency be paid to the guardian of Mr. Woodward's children, for the maintenance of the said children until the next Court; and that such sum be deducted out of such part of the estate as shall appear to be due to them.

The plaintiffs put in a general replication to the answers of the defendants; upon which a commission was issued, in the usual form, "to examine evidences, and also to audit, state, settle and adjust all accounts," between the parties. (*Clapham v. Thompson*, 1 *Bland*, 124, *note*; *Dorsey v. Dulany*, 1 *Bland*, 465, *note*.) Under which commission much testimony was taken: from which an account was stated: as to all which the commissioners made report as follows:

"To his Excellency, Thomas Bladen, Esq. Chancellor of Maryland—We humbly certify, that by virtue of the commission hereunto annexed, and to us directed, (having chosen Richard Burdus to be our clerk,) we met on several days and times, and proceeded to take the depositions of Messrs. John Lomas and Edward Dorsey to several interrogatories, to them severally administered, as by the same interrogatories and depositions hereunto annexed will appear.—And we further certify, that we have stated, audited, settled, and adjusted all such accounts as were, by either party, produced: and have computed the interest on bonds, from the time of their administration granted, till payment of principal; part of which interest we find paid, and the other part not paid, as by the first and second columns of the account A, hereunto annexed, appears; and humbly submit it to your Excellency, whether Mr. Woodward's estate ought to have the benefit of the interest received after administration granted, or the administratrix; and whether the administratrix ought to be chargeable with interest, mentioned in the second column, when it does not appear to us, that any was received.

"And we find, that Edward Fottrell, and Achsa his wife, are chargeable for the personal estate and debts due to the said Amos Woodward, exclusive