

to since the Revolution; *The State v. Brooke, ante, 42, note; (t)* and the Court has gone so far as to compel a witness to submit

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which is certified by us, the subscribers, this 28th day of January, 1747. George Plater, Abraham Barnes, James Mills.”

OGLE, C., May, 1748.—Decreed, that the said George Gordon, executor of the said George Forbes, one of the defendants, pay to the complainant 61,500 lbs. of tobacco out of the goods and chattels, which were of the said George Forbes, in his hands to be administered; and that the complainant recover the same accordingly. And that Dryden Forbes, one other of the defendants, pay unto the complainant such part of the quantity of 23,000 lbs. of tobacco, as was received by the said Henry P. Jowles, her former husband, in his life-time, out of the goods and chattels which were of the said Henry P. Jowles, remaining in her hands to be administered, if so much she hath; and such part thereof as was received by the said John Forbes, her second husband, out of the goods and chattels which were of the said John Forbes, in her hands to be administered, if so much she hath; and the residue of the said 23,000 lbs. of tobacco, which she received after the death of the said Henry P. Jowles, and before her intermarriage with the said John Forbes; and so much thereof as she received since the death of the said John Forbes, out of her own proper goods and chattels, and that the complainant recover the same accordingly. And that the other defendant Ann Greenfield, pay unto the complainant so much of the 31,000 lbs. of tobacco, mentioned in the said return, as was received by the said Thomas T. Greenfield, her testator, out of his goods and chattels remaining in her hands to be administered, if so much she hath; and the residue of the said 31,000 lbs. of tobacco, which she received since the death of her said testator, out of her own proper goods and chattels, and that the complainant recover the same accordingly. And it is further Decreed, that the complainant recover all his costs in this cause against the defendants out of the goods and chattels of their respective testators in their hands to be administered, if so much they have; if not, that the complainant recover one-third part of the said costs of the proper goods and chattels of the said Dryden Forbes, and one-third part thereof of the proper goods and chattels of the said Ann Greenfield.”—*Chancery Proceedings, lib. J. R. No. 5, fol. 339 to 371.*

BARNEY v. HOLLINS.—KILTY, C., 4th January, 1810.—Decreed, that the parties account with each other concerning the partnership transactions of the said parties, under the firm of Barney and Hollins in the proceedings mentioned. That the auditor of this Court state the account relative thereto, on the evidence in the cause, and such other evidence as the parties may produce to him, on notice as usual in such cases. The said account to be returned to this Court for further order, and subject to the exceptions of either party. The Chancellor has to remark, that the taking of further evidence by the auditor, after the decree to account, appeared to be the practice; and has so continued since his coming into office. MS.

(t) COCKEY v. CHAPMAN, 10th February, 1729.—Injunction bill; answer filed; motion to dissolve the injunction this Court; ruled motion to dissolve the injunction 21st February; on motion of the defendant's counsel, and hearing what was alleged by the counsel of both sides, ruled that injunction be dissolved.

After which, the plaintiff by his petition stated, that his injunction had been dissolved, as he understood, upon the ground, that he had not paid