

claims, lately filed in this case, and stated them as No. 34, 35, 36 and 37; that the claim No. 34, is a single bill of the administrator *de bonis non*, of the deceased; and is therefore admitted as against the personal estate; that the claim No. 37 is on a bond executed by Edmund Key, Aquila Beall, and the deceased, with a condition, that Key should prosecute an appeal from a judgment recovered against him by the obligees. A short copy of a judgment against the administrator *de bonis non*, on this bond, is also filed, which proves the claim as against the personal estate. But, in order to prove it as against the real estate, the auditor thinks some evidence must be offered as to the determination of the appeal; and that only one-half of the claim ought to be allowed, unless it is proved, that Aquila Beall is insolvent.

After which the plaintiffs, on the 25th of January, 1832, filed the following additional exceptions, in which they insist upon their \*exceptions heretofore filed against the claims of the Bank of the United States. And also except to so much of the auditor's report as in any manner conflicts with their aforesaid exceptions. They except to the auditor's account A, between the administrator *de bonis non*, and the estate of the deceased, for all and every the reasons which are set forth and assigned as objections to said account in the auditor's report; except, that objection of the auditor against the allowance for \$1,005, for the value of negroes mortgaged, the mortgage having been produced and admitted. They also except to so much of the accounts A, and B, of the administrator *de bonis non*, as stated by the auditor, as make allowances to him for moneys paid for county taxes; for county taxes remaining due, and for the future support of the negroes. **497**

The creditors of the deceased, reported by the auditor as claimants No. 9, 10, 12, 13, 14, 15, 16, 17, 21, 23 and 24, at the same time, prayed leave to insist upon all the exceptions taken by the plaintiffs to the reports of the auditor, and to have the same benefit thereof as if they were again specially repeated. And, on the same day, the Bank of the United States excepted to all four of the claims stated by the auditor in this his last report; because they are barred by the Statute of Limitations; because No. 34 is founded on a single bill by the administrator *de bonis non*, and can be no evidence of a claim against the deceased; and because there is no evidence to support claim No. 37.

Instead of taking testimony under the order of the 10th of November, the parties, by agreements filed, made what they deemed sufficient admissions of the authenticity of the vouchers of some of the contested claims, so as to bring the case before the Court.

BLAND, C., 14th February, 1832.—This case standing ready for hearing and further directions on the several reports of the audi-