

purposes of building, which requires their removal. The auditor, therefore, inclines to think, that he should charge the defendant John Fitzgerald only with the average ground rent, as estimated by the aforesaid witnesses. And he has allowed for the value of certain improvements which appear to have been made by the defendant. And the auditor is further of opinion, that the value of the said premises, for the time prior to their alienation, should not be estimated at a higher rate than for the time subsequent.

The auditor further says, that the complainant has also located the possession of the defendant Benjamin Rawlings. The plaintiff has examined three, and the defendant five witnesses, to prove its value. It is also proved, that in 1797 there was a small two story frame house on the premises, which, it is inferred from other evidence, might have rented for four or five dollars a month. But there is no proof of its value, independent of the ground annexed to it, and it is supposed the ground was chiefly valuable for building, which would require its removal. The auditor, therefore, thinks he should charge said defendant only with the average ground rent, as estimated by the aforesaid witnesses; and that the value thereof for the time prior to its alienation should not be estimated at a higher rate than for the time subsequent. The complainant has also located the possessions of John Weaver, and proved, that the lots, in 1818, might have been leased at a rent of two dollars for every foot fronting on Goodman street; and the auditor has stated the account accordingly. The complainant has \* also located the possessions of John S. King, John Cator, Samuel Moore, and George A. Hughes, and offered **597** similar proofs of their value. And the auditor has stated the accounts against these defendants accordingly. The complainant has also located the possessions of the defendant William McMechen, and offered proof, that in 1818, the property might have been leased at a rent of two dollars per foot fronting on Goodman street, and the auditor adopts this evidence of value for the time since 1818. No further proof has been offered of the value prior to 1818. The complainant has located several small houses on the premises; but has offered no proof that they were erected in 1797. The auditor is not satisfied with his estimate of the value of this property prior to the first of May, 1818; but having no data before him by which it might be corrected, he has adopted it in his present account.

The auditor further says, that the complainant has located the possessions of Edward Hagthrop and wife, and offered proof, that the ground fronting on the Ferry road and Goodman street, might have been leased, in 1818, at a rent of two dollars per foot. This proof has been adopted by the auditor in his estimate herewith returned. The auditor excludes any allowance for the rent of the Mansion House, and the house on Light street since the first of