

of the net sales, after deducting the dividends as the basis, and giving 9,761 years purchase thereof as the value of the life estate according to said tables, estimating the present value of the annuity at six per cent. By this estimate, the allowance amounted to \$21,135 49. In account E, six per cent. on the net proceeds of sale, according to accounts A and B, was assumed as the proper basis for the annuity, and the value of the life estate was calculated in the same way as in account D. By this estimate, the allowance amounted to \$16,450 12.

The Auditor submitted that all these accounts were erroneous except account B. It was proved that Mrs. Abercrombie, at the time of the sale, was fifty-three years of age; that her health was very precarious and infirm; that from her infancy her constitution was never robust, and that her lungs were diseased, and she had had several hemorrhages. A deposition of John F. James, the Actuary of the Girard Life Insurance Company of Philadelphia, to the effect that the Carlisle tables were used by all, or very nearly all such companies in this country, and that they furnish a good business criterion, when used as the basis of transactions was also filed in the cause.

The Insurance Company excepted to the report and accounts of the Auditor: 1st. Because accounts A, B, and C, in making allowance for the life interest, do not base it upon the actual probabilities of life at the age of the *cestui que vie*, as ascertained by the best authorities. 2d. Because a deduction is made in account B, on account of the ill health of the *cestui que vie*. 3d. That no allowance is made in the first three accounts to the Company, for the proportionate part of the dividends which had accrued up to the day of sale.

The complainants also excepted, because in account B a sufficient deduction was not made from the value of the life interest of Mrs. Abercrombie, on account of the bad state and condition of her health, they insisting that the Auditor ought to have added *ten* years or more, instead of *five*, to her age. They also excepted to the computation of such allowance by the Carlisle tables.