

PRACTICE IN CHANCERY.—*Continued.*

- deceased debtor, and that he left no personal estate, alleges that no letters of administration had been granted thereon, the admission of this allegation in the answer dispenses with the necessity of producing the proof that would be otherwise required. *Ib.*
12. A creditor's bill, after averring that the deceased debtor was in his lifetime seized of certain real estate, devised to him by his father, subject to a life estate of his mother therein, and that he died before his mother, leaving no personal property, alleged that the complainant is entitled to have his debt paid out of the real estate of the debtor in the hands of his heirs, or to which he may be entitled in remainder, as aforesaid. HELD—That this allegation was sufficient to entitle the complainant to a decree for the sale of such real estate. *Ib.*
 13. Where a deed has been traced into the hands of the complainant, the defendant cannot offer parol evidence of its contents, without first giving notice to the complainant to produce it. *Ib.*
 14. Though an administrator, when called upon to account in Chancery, may exhibit with his answer and explain not only the accounts passed in the Orphans Court, but the vouchers for the credits therein allowed him, yet he cannot be compelled to do so. *Mitchell vs. Mitchell, 71.*
 15. The vouchers are to be regarded as evidence, and need not be filed as part of the pleadings: to require them to be produced and explained in detail in the answer would render Chancery proceedings intolerably expensive and voluminous. *Ib.*
 16. It is sufficient if they are produced before the Auditor when he is about to state the account, and their production then will upon application be enforced. *Ib.*
 17. Where a bill alleges that an administrator has failed to charge himself with the hire of certain negroes, and the profits of leasehold property, and prays for a discovery of the full value, and true accounts, which he has, or ought to have received on account thereof, an exception to the answer upon the ground that it does not give this information will be sustained. *Ib.*
 18. The accounts passed in the Orphans Court, with the light which the vouchers when produced will throw upon them, will not give the complainant the information called for by this charge of his bill. *Ib.*
 19. Where a bill calls upon a defendant for the names and number of the negroes in his possession as administrator, an exception to the answer upon the ground that it does not give this information will be sustained. *Ib.*
 20. A bill for the sale or partition of the real estate of an intestate must conform to the Act regulating descents, in order that the rights of election and preference secured to certain of the heirs may be enjoyed, and a demurrer to a bill for the want of this conformity will be sustained. *Roser vs. Slade, 91.*
 21. Though the demurrer is sustained, yet the bill will not be dismissed, because the defects, in not making the averments required by the statute, may be cured by amendment. *Ib.*
 22. Where a party is defending himself against the specific execution of a written contract, grounds of defence will be open to him which would