

of the court ; and the decision may be postponed and the amount set apart to meet it reserved accordingly.

But after a reasonable time has elapsed ; and where it does not appear, that any of the creditors whose claims have been objected to have been allowed time for further proof which had not then expired, and there are still some claims, the objections to which have not been removed, the case may be referred to the auditor with directions to state a final account excluding all claims not then sufficiently authenticated so as to bring the whole controversy to a final conclusion. This case now stands in that situation.

Whereupon it is ordered, that this case be and the same is hereby referred to the auditor with directions to state a final account, from which he will exclude all claims not now sufficiently authenticated ; and also those from which the auditor's objections, as stated in his former reports, have not been removed. All objections heretofore filed by any party against the allowance of any claims, which have not been determined by the court to be valid, are hereby overruled.

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Notwithstanding this order, the parties appear to have acquiesced in leaving the case open, or to have waived the right to call for a final account as ordered ; for, on the 26th May 1830, a special confirmation of the auditor's report of the 22d of May 1828 was called for and ordered accordingly, by which it would seem that the case had been brought to a final termination ; but the objections to claim No. 21, 27, and 28 having been withdrawn, the case was again submitted, upon which on the 3d of May 1831, it was sent to the auditor to state a final account as required by the order of the 24th of May 1828.