

the said decree, in order to obtain a partition ; but will hear them at any time in support of the present petition.

The trustee *Vincent*, reported that there would be no necessity to sell any of the real estate of the deceased to pay his debts, as there was reason to believe, that they might be all satisfied from the personsl assets, in the hands of the administratrix, and with the rents and profits of the real estate, which would then soon be collected. And he also, some years after reported, that *Sarah*, who was the widow of the testator, was dead ; and at the same time, returned accounts, in which he had, as he said, stated an account with her executor, and also with the devisees.

18th May, 1810.—KILTY, Chancellor.—An account rendered by *Samuel Vincent*, trustee to the estate of *Charles Rogers*, has been laid before the Chancellor without any report, excepting what is stated in a short note, and in another sent with it, which are neither of them drawn in a formal manner, or calculated to explain the nature of the account. No vouchers are exhibited ; but the account appears to be approved by the executors. The Auditor is directed to examine and report on this account, and the statement made therewith, having reference to the proceedings in court, under which *Samuel Vincent* was appointed trustee.

In obedience to this order the Auditor reported, that he had stated an account between the trustee and the executors of *Sarah Rogers* ; from which there appeared to be due to them the sum of £72 9s. 0d ; that he had stated another account between the trustee and the estate of the testator *Charles Rogers*, from which it appeared, that there was then in the trustee's hands £1057 11s. 5d. arising from rents received by him, over and above the sum stated as due to the executors of *Sarah Rogers* ; that it did not appear how this sum was to be distributed ; or whether there were any debts due from the estate ; and that the accounts had been stated by him without any proof or voucher, other than the trustee's own statements.

19th May, 1810.—KILTY, Chancellor.—On considering this report and the accounts therein referred to, the chancellor is of opinion, that no order can, at present, be passed respecting the accounts exhibited by the trustee. But the subject will be again considered on application of the parties interested, or any of them, or of the trustee for any specific direction.