

by the register, in due proportion to the amount of property to him or her adjudged and awarded.

The auditor reported on the 10th of November, 1828, that he had stated several accounts, some at the instance of the plaintiffs; and others according to the instructions of the defendant *John Diffenderffer*; and had then stated an account marked D. agreeably to his own views of the justice of the case; in which he had allowed the trustee *Diffenderffer* a commission of ten per cent. as allowed to the former trustee; but he had charged interest on the balances in the trustee's hands at the end of each year. As these balances consisted in part of interest, charged on former balances in hand, the trustee was thus charged with compound interest. But as this account might, in this particular, be questioned, he had stated another account, in which interest was not so charged. And that in continuation of each account he had distributed the balance, in the trustee's hands, amongst the plaintiffs and the infant defendants; allowing the complainants one-third of the balances, and to each of those defendants one-third of the remaining two-thirds.

To these accounts the plaintiffs filed the following exceptions: They excepted to account A; because, interest is not properly charged therein; because, a credit is allowed for various sums for which no credit can, or ought to be claimed; because, a commission is therein allowed to *John Diffenderffer*; because, a credit is allowed for rent, not received of *Mrs. Sparks'* family, under a representation, that it was lost by default of the complainants' solicitor, when, in truth, no such default ever existed, and no proof is made of it; and because, in other respects, the account is insufficient and defective and against the proof in the cause. They excepted to account B; because, interest is not properly charged therein; because, various credits are there given which ought not to be allowed said *Diffenderffer*; and because, the account is defective and unsupported by proof. They excepted to account D; because the trustee is allowed a commission of ten per cent.; because interest is improperly charged, not a sufficient amount being allowed to the complainants; and because, the account is otherwise defective and against evidence. And they excepted to account E; because, the said *John Diffenderffer* is not therein charged with interest enough; and because, said account is otherwise insufficient, defective and against evidence.