

been able to ascertain the origin of the practice ; but it seems to have prevailed from an early period of the provincial government ;

and the damage the said Kenelmn Cheseldine sustained thereby, is of the value of 61,500 lbs. of tobacco : and that the rest of the said tract of land, was held by Col. Henry P. Jowles, deceased, from the said spring of 1718 to the time of his death ; and by his widow after his death, until her intermarriage with a certain John Jowles, gentleman, deceased ; and after his death, by her again until the said October, 1739 ; and that the rents, issues, and profits of the same ; and the damage the same Cheseldine sustained thereby, is of the value of 1150 lbs. of tobacco per annum, amounting in the whole, to 23,000 lbs. of tobacco. And the island and tract of land called White's Neck, also mentioned in the same bill, were severally held and occupied for the same space of time by Thomas T. Greenfield, gentleman, deceased ; and after his death by Ann Greenfield, his widow, or by his or her undertenants ; and that the rents, issues and profits of the same, and the damage the said Kenelmn Cheseldine sustained thereby was, and is of the value of 31,000 lbs. of tobacco. All which is certified by us, the subscribers, this 28th day of January, 1747. George Plater, Abraham Barnes, James Mills.'

*May, 1748.—OGLE, Chancellor.—Decreed*, that the said George Gordon, executor of the said George Forbes, one of the defendants, pay to the complainant 61,500 lbs. of tobacco out of the goods and chattels, which were of the said George Forbes, in his hands to be administered ; and that the complainant recover the same accordingly. And that Dryden Forbes, one other of the defendants, pay unto the complainant such part of the quantity of 23,000 lbs. of tobacco, as was received by the said Henry P. Jowles, her former husband, in his life time, out of the goods and chattels which were of the said Henry P. Jowles, remaining in her hands to be administered, if so much she hath ; and such part thereof as was received by the said John Forbes, her second husband, out of the goods and chattels which were of the said John Forbes, in her hands to be administered, if so much she hath ; and the residue of the said 23,000 lbs. of tobacco, which she received after the death of the said Henry P. Jowles, and before her intermarriage with the said John Forbes ; and so much thereof as she received since the death of the said John Forbes, out of her own proper goods and chattels, and that the complainant recover the same accordingly. And that the other defendant Ann Greenfield, pay unto the complainant so much of the 31,000 lbs. of tobacco, mentioned in the said return, as was received by the said Thomas T. Greenfield, her testator, out of his goods and chattels remaining in her hands to be administered, if so much she hath ; and the residue of the said 31,000 lbs. of tobacco, which she received since the death of her said testator, out of her own proper goods and chattels, and that the complainant recover the same accordingly. And it is further *Decreed*, that the complainant recover all his costs in this cause against the defendants out of the goods and chattels of their respective testators in their hands to be administered, if so much they have ; if not, that the complainant recover one-third part of the said costs of the proper goods and chattels of the said Dryden Forbes, and one-third part thereof of the proper goods and chattels of the said Ann Greenfield.'—*Chancery Proceedings, lib. J. R. No. 5. fol. 339 to 371.*

*BARNEY v. HOLLINS.—4th January, 1810.—KILTY, Chancellor.—Decreed*, that the parties account with each other concerning the partnership transactions of the said parties, under the firm of Barney and Hollins in the proceedings mentioned. That the auditor of this court state the account relative thereto, on the evidence in the cause, and such other evidence as the parties may produce to him, on notice as