

sufficient if they are produced before the Auditor when he is about to state the account. But to require them to be produced now, and explained in detail in the answer, would give rise to a practice which, in my opinion, would render Chancery proceedings intolerably expensive and voluminous. The answer offers to exhibit the vouchers before the auditor, and, indeed, without such an offer, their production would upon application be enforced. *Randall vs. Hodges*, 3 *Bland*, 477. I am of opinion, therefore, that the 1st, 2d, 3d, 4th, and 5th exceptions to the answer cannot be sustained.

But the 6th and 7th exceptions present a different question. The bill alleges that the defendant has omitted to *charge* himself with the hire, &c., of negroes, held and possessed by him as administrator, and with the full profits and rents of certain leasehold estates, and prays that he may be compelled in his answer to discover the full value and true amounts which he has received or ought to have received on account thereof. The answer does not give this information, and this is the ground of the 6th exception, which, I think, is well taken. The accounts passed in the Orphans' Court, with the light which the vouchers, when produced, will throw upon them, will not put the complainant in possession of the information called for by this charge in his bill.

The 7th exception is founded upon the omission of the defendant to state the number and value of the slaves which came to his possession as administrator *de bonis non*. One of the prayers of the bill, and it is a prayer warranted by an allegation, calls upon the defendant, in express terms, to state the number and names of the negroes in his possession. This has not been done, and this exception, therefore, is, I think, well taken, and will be sustained.

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[After further answer and proof, and agreement of facts, all of which appear in the opinion below, the cause was submitted for final hearing, and argued upon notes by the solicitors of the respective parties. The Chancellor then delivered the following opinion at July Term, 1852.]