tions; to remove objections; or to produce further proof in support of their respective claims and pretensions. This reasonable time is, however, always estimated with reference to the time limited for creditors to bring in their claims, and to the time when the auditor * has filed his first statement of the claims; for although as in this instance, so far as it can be done without delay **360** or prejudice to the creditor and parties in the case, any other claimants will be allowed to come in, who file the vouchers of their claims before the Court has actually parted with the fund by a final distribution of it; yet they can have no claims upon the special indulgence of the Court; and it will not postpone the distribution to give them time to remove objections, or to collect further proof in relation to their claims. *Hammond* v. *Hammond*, 2 *Bland*, 364; *Kent* v. *O'Hara*, 7 *G. & J.* 212. The circumstance of such a multitude of creditors having been gathered together, as in this instance, affords strong ground for asking all the indulgence which the nature of the case can authorize; but here there has been an allowance of time which must be admitted to have been sufficiently liberal for every purpose.

With regard to the second statement reported by the auditor. It is in general true as declared by the Act of Assembly, that the expense of every statement of an account must be borne by him who desires it; 1785, ch. 72, s. 17; but in a creditor's suit the expense of the auditor's statements are borne, in general, by the estate; yet if any new and additional accounts are asked for, the expense of stating them must be defrayed exclusively by those creditors who by their tardiness in coming in have rendered such new or additional statements necessary. *Hammond* v. *Hammond*, 2 *Bland*, 364.

These directions apply to all the claims which have been filed since the auditor made his first report, and for whose special benefit the second statement was made; from the aggregate amount of whose dividends the expense of making it must be deducted. And also to all such claims as are not now sufficiently authenticated; which must be finally rejected.

Whereupon it is ordered, that this case be, and the same is hereby referred to the auditor, with directions to state an account accordingly, &c.

In obedience to this order the auditor, on the 29th of December, 1831, stated and reported a final account as directed; which was, on the 9th of January, 1832, confirmed, and the proceeds directed to be applied accordingly, with a due proportion of interest.