

of such accounts shall be referred to the Master's office.

CXLII. That in the taking of accounts in the Master's office, it shall be within the cognizance of the Master to take the same according to the laws and practice of the Court of Chancery, without any specific direction in the decree or order referring such accounts to the Master, and therein to take the same with rests or otherwise; to take account of rents and profits received, or that, but for wilful neglect or default, might have been received; to set occupation rent; to take into account necessary repairs and lasting improvements, and expenses properly incurred otherwise, or claimed to be so; and generally in the taking of accounts to enquire and adjudge as to all matters relating thereto, as fully as if the same had been specifically referred; subject, nevertheless, to the revision of the court upon exceptions to the Master's report upon the matters aforesaid.

Provided nevertheless, that no claim for improvements shall be entertained in the Master's office, unless the party making such claim shall, upon the pleadings, have made such a case in respect thereof, as was necessary under the previous practice of the court.

CXLIII. That in order to prevent any inconvenience to suitors, during any absence of the Master in ordinary from the seat of the court,—It is ordered, that during any such absence, all answers, affidavits, depositions and examinations, ordinarily taken before the said Master, may be taken before any Master Extraordinary for the Home District.

Sep. 23, 1843.

Answers, &c. to be taken in absence of Master.

\* See also 10th order of January 1851.