moved the objections to their claims, since the first general report; and several of those intermediate statements had been confirmed, and the claims ordered to be paid accordingly; after which the case was submitted to obtain an order for bringing it to a final conclusion.

BLAND, C., 24th May, 1828.—According to the course of this Court, in creditors' suits, or where the case, by any proceeding, interposed after its institution, has been necessarily cast into the form of a creditors' suit, it is indispensably necessary, before any distribution can be made, or satisfaction awarded to any of the creditors, that they should be called on by publication in some newspaper, or other public notice, to file the vouchers of their claims in the Chancery office, on or before a specified day, most commonly four months after the day of the first publication: but a shorter period may be limited where the funds are small, or the transactions appear to be but little dispersed. After the time allowed to the creditors for bringing in their claims has expired; the auditor, at the instance of any one concerned, may make and report an account distributing the whole of the funds in full satisfaction, or in due proportion among the creditors; giving a preference to those who may appear to be entitled to it. In this first general report,
441 all the claims having any plausible or probable *validity, or which may ultimately be sustained by proof, are stated as of course by the auditor, who in this, as in all subsequent reports, in which he first introduces a claim to the notice of the Court, informs the Chancellor of all the objections and special circumstances in relation to it, as they appear from the proceedings and vouchers submitted to him. But after the day limited for bringing in claims is passed, and at any time before the funds have been ordered to be distributed, any other creditor may bring in his claim, and he will be put upon a footing with the other creditors so far as it can be done from the funds then remaining in Court, by restating the account at his cost.

In a proper creditors' suit the decree for a sale of an estate for the satisfaction of creditors, in general, is in itself a final decision in favor of the claim of the originally suing creditor; because there can be no such decree unless the plaintiff establishes his claim in whole or in part. And therefore in such case, where the whole amount claimed by the plaintiff has not been established, it is proper, that the decree should expressly specify the debt decided to be due; leaving the other claims or parts of claims of the plaintiff as stated in the bill to come in after, and be finally disposed of on the usual application for further directions as to them and other claims.

The auditor's first general report having prepared and arranged all the materials for the judgment of the Court, is usually suffered