

DEBTOR AND CREDITOR.—*Continued.*

21. If a creditor, in any manner, receives only the principal of his debt, so as not to relinquish his claim to the interest then due, he may afterwards recover the interest as if it were a part of the principal. *Ib.*
22. In a creditor's suit the decree for a sale of the realty, being founded on the fact of the insufficiency of the personal estate, necessarily establishes that point; and, consequently, after that, the correctness of the administrator's accounts cannot be impeached for the purpose of turning a creditor, who had come in under the decree away from the realty to seek payment of the personalty. *Mackubin v. Brown*, 383.
23. After the notice to creditors had been given, a sale had been made, and a distribution of the proceeds had been awarded to creditors, claimants, who had been infants, were allowed to come in soon after they attained their full age, and to have a further sale of the realty made for the satisfaction of their claims; and that too, after a partition had been made of it among the heirs of the deceased debtor. *Ib.*
24. Where evidence in support of a claim, in a creditor's suit, is within the knowledge of a co-creditor who has filed his claim, and thus become a party to the suit, he may be required to answer interrogatories on oath. *Williamson v. Wilson*, 381.
25. The mode of having creditors called in, and their claims adjusted before the auditor in a creditor's suit. *Ib.*
26. The originally suing creditor's claim having been decided upon, or so much of it as has been decided upon by the decree, cannot be afterwards drawn in question. *Ib.*
27. The Statute of Limitations, or any other just opposition, may be relied on or made against a claim brought in under the decree by any one of the original parties, or by a co-creditor. *Ib.*
28. After a reasonable time a final account may be ordered, rejecting all claims not then sufficiently authenticated. *Ib.*
29. The mode in which creditors are made to contribute to a creditors' suit. *Dorsey v. Hammond*, 436.
30. In a creditors' suit the proceeds of the realty are to be distributed in the same order among creditors in which the personalty is to be distributed among those only whose claims have been so avouched as to authorize the Orphans' Court to allow of their payment. *Ib.*
31. A claim may be contested so as to put the claimant to full proof; in which case if it be not legally established it must be rejected. *Ib.*
32. After a claim has been decided upon, it cannot be brought again before the Court in a different shape; except under such circumstances as would form a sufficient foundation for a bill of review, or a re-hearing. *Ib.*
33. Where, on a bill by a mortgagee against the heirs of a deceased mortgagor, the mortgaged estate had been sold to pay the mortgage debt, leaving a surplus; other creditors of the deceased were allowed to come in, on the ground of the insufficiency of the deceased's personal estate; considering the surplus as a *residuum* of the real assets which had been taken from the hands of the heirs; and to have the