

a decree for a sale may, therefore, be passed before the case has been regularly set down for hearing, provided there be no other impediment to the passing of such a decree.

his satisfaction; and if there were, there is no proof of the insufficiency of the personal estate.

On the 31st of July, 1797, a settlement of an account by the administrator of the deceased with the Orphans' Court, shewing a deficiency of the personal estate to pay the debts was filed, and the case was again submitted.

HANSON, C., 17th August, 1797.—This case standing ready for decision on the bill, answer, and exhibits; and the justice of the claim of one of the complainants, and the insufficiency of the personal estate of the deceased to discharge it, being fully established to the satisfaction of the Chancellor, it is Decreed, that the land be sold, &c.

A sale having been made and ratified, and a report having been made by the auditor, the case was thereupon brought before the Court.

HANSON, C., 13th June, 1803.—Ordered, that the auditor's report be approved and ratified; that is to say, that that statement which does not allow Hanbury and Lloyd interest during the war, is approved and ratified. In no case has the Chancellor allowed interest to a British creditor during the war. In no instance, as he understands, has the General Court allowed interest during the war. The said Hanbury and Lloyd, it seems, have recovered judgments against the said Brown, to be released on payment of principal, with interest to the time of payment generally. The Chancellor conceives the fair meaning of this to be, such interest as is legal, just, and usual. Besides, not the plaintiffs and Brown only were interested on the occasion; the other creditors were interested. In short, the Chancellor is decidedly of opinion, that interest during the war ought to be suspended. However, he is willing to receive any remarks in writing, or even hear an argument, between those concerned, at the next term.

After some time the case was again brought before the Court, in relation to this matter, and the solicitors of the parties heard.

HANSON, C., 17th August, 1803.—The complainant Jonas Chapman, as administrator of a British subject, obtained judgment in the General Court against Robert Brown, late of Queen Anne's County, on a bond executed by the said Brown to the said British subject before the war. No defence was made, but judgment was entered up in the usual way, to be released upon payment, say of £400, with interest from the date of the bond and costs. Since Brown's death, some of his creditors have obtained a decree, in this Court, for the sale of his lands for the payment of his debts. The land hath actually been sold by William Richmond, trustee. And now the said Jonas Chapman, not only claims a preference on account of his judgment, but insists that there shall be no suspension of interest for the time during which the war between the United States and Great Britain was carried on. On the part of the other creditors it is insisted, that interest is due on the said judgment only from the date of the bond to the commencement of the war, viz. to the ——— day of ——— 1775, to the end of the war, viz. from the ——— day of September, 1783.

In various cases of claims exhibited in this Court by British creditors against citizens of this State, the Chancellor has directed a suspension of