

due on their judgment might be ordered to be paid to them out of the moneys so brought in.

BLAND, C., 25th February, 1830.—The judgment against Charles Ridgely, was assets in the hands of the executors, and as such could not be applied exclusively by them to the satisfaction of any one of the creditors of their testator, after the decree to account in this case; but it appears that the use was entered, in this instance, some time after that decree; therefore, it is ordered, that the foregoing petition be, and the same is hereby dismissed, with costs.

The trustee, Alexander, reported, that being under an impression that the infant defendant Philip H. Mewbern, had no means of raising the sum which he had been ordered by the decree to pay: and, at the instance of his guardian, he had sold a part of his personal estate, which the trustee submitted to the consideration of the Court. After a publication of the usual order *nisi*, this sale was finally ratified. The amount which some of the other parties were ordered to contribute not having been brought in as ordered, the trustee, Alexander, further reported, that he had made sale of a part of the property devised to the plaintiff John and his children; of a part of that devised to the late plaintiff Philip and his children; and of that parcel of land described in the decree as the residue of the tract yet undisposed of by the executors. And he subsequently reported, that he had sold a part of the real estate **394** devised to the *defendant Rezin and his children; and a part of that which had been devised to the plaintiff George W. Hammond. These sales were all finally ratified, and the proceeds having been collected, were applied in full satisfaction of all the creditors of the testator; the contributions charged upon the several devisees were finally adjusted, and the estate entirely cleared and settled.

THE FARMERS BANK OF MARYLAND'S CASE.

LIEN OF CORPORATION ON STOCK.

The clause of the Act incorporating The Farmers' Bank of Maryland, which declares that all debts actually due to the company by a stockholder offering to transfer, must be discharged before such transfer shall be made, gives to the bank a mortgage or pledge of such stock. (a)

The bank, as a mortgagee, may sell such stock without suit; but if it fails or refuses to do so, on a bill filed by the administrator of the deceased stockholder, it may be ordered to be sold.

(a) See *Albert v. Savings Bank*, 1 Md. Ch. 407, note.