

appropriating the proceeds to their own uses, and in this manner wasting and dissipating their resources ; that they had sent beyond the reach of their creditors large quantities of goods ; that they had stated that they had made no transfer of their stock of goods to any one, nor created any lien upon the same, whereas in fact they had made two several bills of sale of their whole stock of goods, the one to Sampson Cariss and the other to their mother, Catharine S. Diffenderfer, to secure them in large sums of money, alleged to have been loaned by them ; and that these liens were created whilst they were insolvent, and had no expectation of extricating themselves from their difficulties except by taking the benefit of the insolvent laws. That at the time of calling together their creditors, the defendants (as complainants were informed) admitted their insolvency ; and that Catharine S. Diffenderfer, at the period of the execution of the bill of sale to her and for a long time previous, was in no condition, from her own want of means, to lend money. That defendants had been warranted for sums of money less than a hundred dollars, and although admitting the justice of the claims, they had interposed injurious and improper obstacles to a recovery thereof, so that with the utmost diligence, judgments could not be recovered against them before the month of May, 1850, by which time their assets would be wholly wasted. That since the execution of said bills of sale, the defendants had held the property conveyed by them, or a large portion thereof, and were selling the goods without accounting with the grantees or to any of the creditors, for the proceeds of sale.

The bill concluded with a prayer for the appointment of a receiver, and for an injunction to restrain the defendants from proceeding with the business of the firm. The Chancellor granted the injunction, but ordered the application for the receiver to stand over for the coming in of the answers.

The answer of the defendants, Diffenderfer, admitted that they began business as grocers in the city of Baltimore, in 1846, and had since continued to prosecute the same, but denied that they had ever falsely represented to the complainants