

Company to various individuals in large sums of money, and its inability to pay such debts, and praying that a receiver might be appointed to take charge of and sell the vessels and other property of the company, and for an injunction to restrain the defendants (trustees to whom the vessels of the company had been assigned) from navigating said vessels, and for further relief.

An injunction was granted on the same day, and a receiver appointed, unless cause to the contrary should be shown by the 10th of the ensuing month.

No sufficient cause to the contrary having been shown, an order appointing a receiver was passed on the 1st of January, 1847, and the receiver so appointed, having qualified by giving bond with approved surety, was authorized and directed, by an order passed on the 4th of the same month, by consent of parties, to make sale of the property which might come into his hands.

The sale was made on the 2nd of February, 1847, and finally ratified on the 17th of March following; and the Auditor having stated and reported an account between the property thus sold and the receiver, numerous exceptions were filed thereto by the parties. The principal questions involved, are upon the claim of the seamen for a prior lien upon the vessel for wages, upon the claims of creditors who furnished supplies for the vessel, upon certain claims founded upon the drafts of the captain on the company, and upon a claim of Alexander J. Marshall, upon a contract entered into by him with the president of said company.

These exceptions being argued, the Chancellor, in giving directions for a further account, says:]

THE CHANCELLOR :

Among the numerous creditors who have come in upon this fund are the seamen who claim the wages due them for navigating and services on board the vessel for the year 1846, and in their behalf it is insisted, that they are entitled to a preference over the other creditors, upon the ground that the wages