

claims by a limited time, before any distribution can be made of the funds now in the hands of the court. With regard to the authentication of claims, and the conflicting rights of claimants, the court will be governed by its established rules in similar cases, as any such questions may arise.(1)

(1) *BARNABY v. HOLLINGSWORTH*.—The bill filed 2d July, 1797, states that John Barnaby, (who was not a defendant,) being indebted to the plaintiff Richard Barnaby, and sundry other persons, conveyed all his property to the defendants H. Hollingsworth, A. Todd, J. Field, and J. Warder, in trust for the benefit of his creditors; that the defendants took upon themselves the trust; obtained possession of the property conveyed, and have refused to distribute the money received, or to sell a part of the real estate, or to account. Prayer to account, for payment, and general relief, &c. The defendants answered, &c. It appears that, by an agreement of October, 1789, signed by the solicitors of the parties, the case had been referred to arbitrators; who, without the sanction of an order by the Chancellor, awarded, that the plaintiff was not the partner of John Barnaby, and that he was indebted to the plaintiff in the sum of £3200 14s. 3½d.

28th November, 1789.—*HANSON, Chancellor*.—This case standing ready for decree, and the bill, answers, exhibits, and award aforesaid being read, and appearing as herein before set forth; it is thereupon *Decreed*, that the defendants Henry Hollingsworth, Alexander Todd, John Field, and Jeremiah Warder, trustees in the deed aforesaid mentioned in the complainant's said bill, bearing date the eighteenth day of January, in the year of our Lord one thousand seven hundred and eighty-seven, do account with the complainant, and render upon oath in this court, a full and particular statement of all the real and personal estate, debts due and owing to the said John Barnaby, and other property assigned and conveyed to the said defendants by the said deed of trust, and what part thereof hath been received by them or either of them, or hath come to their or either of their possession, and how the same and every part thereof, hath been applied and disposed of, subject to such future order and decree as this court shall make in the premises.

After which the defendants made out and filed an account, &c.; upon which the following decree was passed:—

May, 1792.—*HANSON, Chancellor*.—An interlocutory decree having been passed in this cause, for the defendants to account with the complainant, and to render on oath a full and particular statement of all the real and personal estate, debts, and other property of John Barnaby to them by the said Barnaby assigned, for the benefit of his creditors; and the said Henry Hollingsworth having in consequence thereof returned an account and statement on oath, by which it appears, that he hath in his hands, of the property so assigned by the said John Barnaby, the sum of six hundred and eighty-eight pounds, ten shillings and seven pence, current money, and also other property, not disposed of, and converted into money; and the complainant by a petition, this day filed, having prayed an order of this court to compel the said Hollingsworth to bring into court to be divided amongst the creditors of the said John Barnaby, the money in the hands of him the said Hollingsworth as aforesaid, and also the money by him received as trustee since rendering the said account:

It is thereupon *Ordered*, that the said Henry Hollingsworth do immediately bring into this court the said sum of six hundred and eighty-eight pounds ten shillings and seven pence, current money; and that he also render an account of, and bring into this court, all the money by him received as trustee aforesaid, to be distributed