

proportion which each one of them may be entitled to receive out of the funds in the hands of the receiver after all just allowances have been made. And also to state such other accounts as the nature of the case, or the parties may require.

The first receiver, *David Williamson jun'r*, who was appointed on the third, and removed on the twenty-fourth day of April last, is hereby allowed one per cent. on the amount now about to be distributed among the creditors of the said firm. The present receiver *Jacob Schley* is hereby allowed eight per cent. on the same amount, as a compensation for his trouble in receiving the same; and in paying over to each creditor his portion thereof, according to the statement of the auditor, after it shall have been confirmed by the Chancellor. Each of these receivers are also to be allowed such expenses as they may either of them have incurred, as such, in the defence and preservation of the property committed to their keeping, and in the execution of the trust reposed in them; of which expenditures they shall produce before the auditor vouchers authenticated in the usual manner.

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On the 13th February, 1827, the auditor made a report, with a statement of the distribution of the funds among the creditors who had then filed their claims. Assuming as directed the principles and rules of the court applicable to claims brought in under a creditors' bill, the auditor stated, that there were then filed thirty-two claims; that many of them were not proved as required; that others were founded on endorsed notes or joint liabilities, and those who were so jointly liable with the firm were not shewn to be mere sureties or insolvent; and that others were objectionable in their nature because of its not clearly appearing that they were properly debts due from the firm. This report, at the instance of the receiver, was revised by the auditor to rectify some mistakes as to the amount stated to be in his hands; and to let in some allowances to him for his expenses; and another statement was reported by the auditor on the 22d February 1827.

The plaintiff by his petition alleged, that the evidence to support his exceptions to the claims of *Charles Cappeau*, *Garrett Brown*, *Charles* and *J. Walker*, and *Lot Ridgely*, was within the knowledge of those parties respectively. Wherefore he prayed, that they might be ordered to answer those exceptions on oath.

30th March, 1827.—BLAND, Chancellor.—Ordered, that *Charles Cappeau*, *Garrett Brown*, *Charles* and *J. Walker*, and *Lot Ridgely*