

decreed to be sold in any other manner than by a creditors' bill : any creditor of such deceased person may be permitted to come

that his claim had been objected to, whereupon he prayed, that he might be heard on a day to be appointed.

25th May, 1812.—KILTY, *Chancellor*.—On the above application the following order is passed, which the register is desired to have published this week in the *Maryland Republican*:—In Chancery, May 25th, 1812. Ordered, that the claims against the real estate of John Spurrier deceased, to which exceptions have been filed, will be decided on, on the 1st day of June next.

The auditor reported, that he had in obedience to the order of the Chancellor stated an account of the claims against the estate of the deceased.

22d July 1812.—KILTY, *Chancellor*.—Ordered, that the statement of the claims as reported by the auditor be confirmed. The commissions are not yet fixed, and therefore the usual account with the trustee cannot be stated. But the trustee is authorized and directed to settle with the said claimants by payment when the proceeds of the sales are received, or by discount, or assignment, if agreed to by any of them; the amount of the sales being more than that of the claims, and leaving a sufficiency for the commissions and costs and the claims which are suspended.

Roderick Warfield by petition, filed 30th September 1812, stated, that in the lifetime of the intestate he had married Henrietta one of his daughters; that the trustee, on the 22d day of June 1811, sold the greater part of the real estate of the intestate; and on the 14th day of November 1811 sold the residue; that the whole purchase money was, or would shortly be in possession of the trustee; that his wife Henrietta died on the 9th day of July 1811, after having had a child born alive during the marriage; that the trustee refuses to pay to him his proportion of the estate to which his wife was entitled. Prayer to take testimony to substantiate these facts; that the trustee be ordered to pay over to him such proportion as he is entitled to receive of the proceeds of the real estate; and for such other relief, &c.

1st October, 1812.—KILTY, *Chancellor*.—On the above application it is ordered, that depositions in Ann Arundel county, taken on three days' notice to the trustee or to the petitioner, be received in evidence on the hearing.

Anne Spurrier by petition stated, that she was the widow of the intestate; that there was a large surplus to be distributed among the heirs of the deceased, four of whom are minors, who reside with her, as their mother and natural guardian; that she is unable to maintain them; and is willing to give bond, as guardian, for any share which may be ordered to be paid to her for them. Prayer that the surplus may be distributed; and that the shares of the minors be paid to her.

28th January, 1813.—KILTY, *Chancellor*.—On the application of the heirs for a distribution of the proceeds, it is ordered, that the claims be reported by the auditor on the 10th day of March next on the proof then exhibited, for the final decision of the court, when the petition of Roderick Warfield will also be acted on. A copy of this order to be inserted three weeks in the *Maryland Republican*.

On the 10th March 1813, the auditor reported, that at the request of the trustee, and in obedience to the Chancellor's order of the 28th January 1813, he had stated all the claims exhibited since the last report of the late auditor. And among other things he says, "The claim No. 27 appears to be a judgment in favour of Thomas