With regard to the proof of claims, brought in by other creditors, it has been the practice in cases of deceased persons' estates,

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sued and was likely to be made liable for a large amount of debts; and therefore prayed that the surplus of the proceeds of sales in this case might be paid over to him as executor.

9th June, 1802.—HANSON, *Chancellor*.—Ordered, that the creditors of Francis Caskey, deceased, be notified by a publication of this order three Tuesdays or Fridays in the Baltimore Telegraph, before the end of the present month, to exhibit their claims, with the vouchers thereof, to the Chancellor, before the first day of September next; in order, that after that day a dividend may be made amongst the said creditors of about £600, arising from the sale of certain property, mortgaged by the said Caskey, over and beyond the mortgage debt and costs, &c.

After which, Bernard Caskey, as creditor of Francis Caskey, deceased, by a petition, prayed to have his claim discharged out of the surplus remaining after discharging the mortgage.

16th October, 1802.—HANSON, *Chancellor*.—Ordered, that the trustee for the said sale, by publishing this order three Tuesdays or three Fridays in the Baltimore Telegraph, before the 15th day of November next, do give notice to the creditors of the said Francis Caskey, deceased, to exhibit their claims, with the vouchers thereof, to the Chancellor, before the first day of February next, to the intent that a fair dividend of the said surplus may be made amongst the just creditors of the said deceased.

This order was published, and, in consequence thereof, several creditors exhibited their claims, an account of all which was stated by the auditor.

13th February, 1803.—HANSON, *Chancellor*.—Ordered, that the money arising from the sale of the estate of Francis Caskey, be applied according to the auditor's statement filed on the 11th instant; and that the balance of £328 0*s*. 3*d*. be paid to Charles O'Brian and wife.

After this, on the 1st of March, 1803, William Richardson, by his petition, stated, that the late Francis Caskey was indebted to him, the vouchers of which he filed, being short copies of judgments obtained by Bernard Caskey, against the plaintiff, Charles O'Brian, as administrator of F. Caskey, a part of which were assigned to the petitioner, and the surplus still remained in the hands of the trustee, who was apprised of this application, and would not pay over the proceeds, until this claim was acted upon. Prayer that the claim be allowed.

1st March, 1803.—HANSON, *Chancellor*.—In this case, the Chancellor has passed an order for discharging the claims which had been filed and passed, and for the residue of the money arising from the sale to be paid to Charles O'Brian and wife.

It seems, this order has not been fully complied with, and this day, for the first time, claims are exhibited, with a prayer, that they be discharged by an application of the said residue. The Chancellor being satisfied of the justness of the said claims, cannot do otherwise than direct an application accordingly. And, had the said claims been exhibited in due time, no order would have been passed, as aforesaid, in favour of O'Brian and wife. It is well, that an application is made before the money is paid under that order. But had the money been so paid, no blame could attach to the *court* or to the *register*.

The Chancellor regrets, that he feels himself compelled, by a paper which has met his eye, to make certain remarks, which, at first sight, may appear unnecessary, if not improper. There is not the slightest reason for him to believe, that the aforesaid claims were ever before this day received into the office. It is far more probable