

*Bank of the United States*, amongst other creditors, filed their claims in this court, one of which is secured by a mortgage of the real estate of the deceased, which had been sold by the trustees, which mortgage was executed by the deceased; and to which there is a release of all the right of dower of *Christiana Mackall*, the now widow of the deceased; that they, the plaintiffs, with all the other creditors of the deceased, are entitled to the benefit of the mortgage, so as to have the same, and especially the dower right, applied to the discharge of the mortgage debt in exoneration of the other estates of the deceased; and to have and use the name of the *Bank* for that purpose; that before the passing of the decree of the 4th of May, 1830, in this case, by a proceeding in Prince Georges County Court, a part of that real estate of the deceased, mentioned in the proceedings, had been assigned to this defendant, *Christiana*, as her dower, upon which she had entered, and was then in possession, receiving the rents and profits to her own use; and that as the decree of the 4th of May had only been obtained against the heirs at law of the deceased, it would not bind the right of this defendant. Whereupon they prayed, that the land which had been assigned to the widow for her dower might be sold, &c.

The auditor, on the 2d of March, 1831, reported, that he had made a statement of the claims of creditors numbered from one to thirty-three, together with two statements marked A. and B. of the account of *Louis Mackall*, the administrator *de bonis non* of the deceased. The auditor, in this report among other things, says, the claim of *The Bank of the United States*, marked No. 4, is secured by a deed of trust to *Richard Smith*, dated 10th October, 1821, of the real estate of the deceased, and the negroes therein mentioned; this claim is proved in the usual manner, and will be allowed as a lien of that date. The claim of the same *Bank*, No. 5, is stated in the affidavit to be secured by a conveyance of certain negroes to *Richard Smith*, dated the 12th of January, 1831, of which there is no proof. The only evidences of the claims of the same *Bank*, marked No. 6 and 7, are short copies of judgments against the administrator of the deceased, which are not proved in the usual manner. The claim of the same *Bank*, No. 8, is an account which makes the deceased debtor to it as assignee of the *Bank of Columbia* for the amount of sundry notes due at his death. For which notes, it is alleged, on the death of *Benjamin Mackall*, *Benjamin B. Mackall*, his son, gave his note, dated 25th Septem-