

Where there are two or more defendants the injunction will not, in general, be dissolved on motion until all have answered.—The Cape Sable Company's case, 614, 623.

But on the coming in of the answer of each defendant, the motion to dissolve may be renewed.—*Cross v. Mullikin*, 618.

On the service of an injunction the party if in custody must be discharged; or the personal property, if taken under the *feri facias*, must be delivered back.—The Cape Sable Company's case, 637.

But the realty which had been so taken under the *feri facias* may, after the dissolution of the injunction, be sold under a *venditioni exponas*, 638.

#### INSOLVENCY.

A person who has been finally discharged under the insolvent law cannot, in general, sue or be sued in relation to any property so transferred to his trustee for the benefit of his creditors.—*Hall v. McPherson*, 534.

A discharge under the insolvent law of a party to a pending suit does not operate as an abatement; but the suit becoming thereby defective, the defect must be removed before it can proceed, 538.

#### INTEREST.

Where a public collector is directed on default to be charged 10 per cent.; such interest must be computed to the judgment, and then common legal interest on that aggregate amount until paid.—*Beard v. Williams*, 163.

In general the tenant for life, or particular tenant, must keep down the interest of the debt with which the estate is encumbered.—*Williams' case*, 245.

#### JUDGMENT.

An absolute judgment against an executor or administrator is conclusive as between the parties to it; but is not so as between such creditor and the heir; yet the heir may, to that extent, obtain reimbursement from the executor or administrator.—*Post v. Mackall*, 499, 519.

A judicial lien, when barred by lapse of time, cannot be revived so as to have a retrospective effect prejudicial to the rights of others.—*Coombs v. Jordan*, 324; *Post v. Mackall*, 517; The Cape Sable Company's case, 660.

Where a judgment has abated by death during the continuance of the lien, the plaintiff, or his representatives, may come in, under a creditor's suit, and have the benefit of such lien without reviving at law.—*Coombs v. Jordan*, 326.

Where the execution of a judgment has been suspended, the lien continues its limited time after such suspension, 328.

The bringing of an action of debt upon a judgment amounts to a virtual abandonment of any then existing lien arising therefrom.—The Cape Sable Company's case, 660.

#### JURISDICTION.

Where jurisdiction in a particular case has been conferred on the Chancellor, by a special act, he follows the authority exactly as given.—*Hepburn's case*, 96.

An objection to the jurisdiction or to the capacity of the plaintiff to sue, may be presented in any form or at any time.—*Salmon v. Claggett*, 143.

The court can pronounce no decree prejudicial to any public right appearing upon the record.—The Wharf case, 383.

#### LAND.

How and why real estate was exempted, by the common law, from being taken in execution and sold for the payment of debts.—*Tessier v. Wyse*, 38; *Coombs v. Jordan*, 298; The Cape Sable Company's case, 639.

The personal estate the primary and natural fund for the payment of debts, therefore the realty should not be taken in execution where there is personality present.—*Tessier v. Wyse*, 39, 42; The Cape Sable Company's case, 640.

Escheatable lands may be sold under a creditor's suit, and the proceeds distributed without preference and only among citizen creditors.—*Tessier v. Wyse*, 53.

An instance in which, as it would seem, a fee simple in lands may, by the common law, become assets in the hands of an executor.—*Coombs v. Jordan*, 300.

Land here, before the revolution, considered much more of the nature of commercial property than in England, 302.

An imperfect legal title in the land office considered as a sort of chattel real, 303.

An instance in which lands held in fee simple were sold under an inquisition for the payment of debts, 304.

The statute subjecting lands to be taken in execution and sold, considered and explained, 304, 309.

The land office is considered as the general market in which all public lands are sold.—*Baltimore v. McKim*, 455.

Individuals were not permitted to purchase land of the Indians, 456.

No appeal is allowed from any decision in a caveat case, 457, 462.

In some cases individuals are allowed to acquire a legal title to land from the