

therefore, be passed before the case has been regularly set down for hearing, provided there be no other impediment to the passing of such a decree.

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CHAMBERLAIN *v.* BROWN.—This was a creditor's bill, filed on the 24th of June, 1794, to have the lands of Robert Brown, a deceased debtor, sold to pay his debts, on the ground that his personal estate was insufficient for that purpose. The heirs, who were all infants, answered by their guardian *ad litem*, that their said father was indebted to a much greater amount than the value of his personal estate, and which debts could only be satisfied by the aid of the real estate, which they had no objection to being applied under the authority of this court, to whose care and protection, as infants, they begged leave to submit themselves. William Richmond, the administrator, by his answer, admitted that Robert Brown, late of Queen Anne county, died largely indebted to the complainants, on judgments obtained in the lifetime of the said Robert Brown, as in their said bill was alleged, &c.; and that this defendant has not assets sufficient to pay the debts of the said John Lloyd, as stated in the said bill.

20th April, 1797.—HANSON, *Chancellor*.—The Chancellor has perused these papers on submission, and finds the case not ready. There is no claim established to his satisfaction; and if there were, there is no proof of the insufficiency of the personal estate.

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On the 31st of July, 1797, a settlement of an account by the administrator of the deceased with the Orphans Court, shewing a deficiency of the personal estate to pay the debts was filed, and the case was again submitted.

17th August, 1797.—HANSON, *Chancellor*.—This case standing ready for decision on the bill, answer, and exhibits; and the justice of the claim of one of the complainants, and the insufficiency of the personal estate of the deceased to discharge it, being fully established to the satisfaction of the Chancellor, it is *Decreed*, that the land be sold, &c.

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A sale having been made and ratified, and a report having been made by the auditor, the case was thereupon brought before the court.

13th June, 1803.—HANSON, *Chancellor*.—*Ordered*, that the auditor's report be approved and ratified; that is to say, that that statement which does not allow Hanbury and Lloyd interest during the war, is approved and ratified. In no case has the Chancellor allowed interest to a British creditor during the war. In no instance, as he understands, has the General Court allowed interest during the war. The said Hanbury and Lloyd, it seems, have recovered judgments against the said Brown, to be released on payment of principal, with interest to the time of payment generally. The Chancellor conceives the fair meaning of this to be, such interest as is legal, just, and usual. Besides, not the plaintiffs and Brown only were interested on the occasion; the other creditors were interested. In short, the Chancellor is decidedly of opinion, that interest during the war ought to be suspended. However, he is willing to receive any remarks in writing, or even hear an argument, between those concerned, at the next term.

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After some time the case was again brought before the court, in relation to this matter, and the solicitors of the parties heard.

17th August, 1803.—HANSON, *Chancellor*.—The complainant Jonas Chapman, as administrator of a British subject, obtained judgment in the General Court against Robert Brown, late of Queen Anne's county, on a bond executed by the said Brown