

good *inter partes*, has no operation against strangers, and that the Bank of Baltimore is a stranger.

COLLINS and ALEXANDER, for Complainants.

GEORGE H. WILLIAMS, for Savage Manufacturing Company.

J. MASON CAMPBELL, for the Denmeads.

J. MEREDITH, for the Bank.

TEACKLE, for other Claimants.

JOSEPH WHITE AND THOMAS WHITE, }
 vs. }
 THE OKISKO COMPANY ET AL. }

SEPTEMBER TERM, 1852.

[CHANCERY PRACTICE—PROOF OF CLAIMS.]

WHERE a creditor seeks to offer new proof of his claim in the interval between the final report of the Auditor, made under the directions of the Court, and its ratification, though it is not matter of course, yet he will be allowed to do so under circumstances which would not entitle him to the privilege after the report has been ratified.

The general rule is not to open the account after final ratification, on the application of a creditor whose claim has been first suspended and ultimately rejected for want of proof to sustain it; yet there may be cases in which it would and ought to be relaxed.

[The facts of this case are fully set forth in the opinion.]

THE CHANCELLOR:

In this case a bill was filed by the complainants, creditors of the Okisko Company, on the 22d of June, 1849, against the said Company, and others, likewise claiming to be their creditors, praying for an injunction upon the equities stated in the bill to restrain said creditors from proceeding separately to enforce the payment of their respective claims, and for a sale