

Mr. Dobbins in his petition stated himself to be a creditor, but it appeared that he was, according to his own claim, only entitled to a legacy in right of his wife.

The Court (*Impey, C. J. ; Lemaistre and Hyde, Js.*) upon referring to the charter, considered, that power of granting administration to creditors was intended only to creditors of the deceased, not to creditors of the estate of the deceased ; and it was therefore determined, that administration should not be granted to Dobbins on this petition.

*Caveat allowed.*

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ANONYMOUS (1778).

*Hyde's Notes, Mar. 20th, 1778.*

Administration granted to a creditor of the estate of a Hindu. The citations should be explained to the relations of the deceased.

UPON motion, administration of the effects of a Hindu was granted to a creditor.

*Chambers, J.*, said, that he thought some provision should be made, that the citations should really be known and understood by the relations of the deceased.

*Hyde, & J.*, entirely agreed in that opinion, and thought a rule should be made of that import ; and he said, that [3] he had several times refused to grant administrations to creditors, when it appeared there were relations, until it was proved by affidavit that real notice had been given to the relations of the deceased.

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IN THE GOODS OF AMBROSE ROCKE (1778-9).

*Hyde's Notes, Oct. 31st, 1778 : Jan. 19th, 1779.*

The Court not bound to weigh nicely the debts due to creditors contesting the rights.

IN this case, Dolman, a hair-dresser, petitioned for administration as being a friend and creditor of the deceased, and stated, that the debt due to him was 320 and odd rupees.

A caveat was entered by Oldham, an undertaker, who swore, that the estate of the deceased was indebted to him 350 and odd rupees.

It was not known who were the relations of the deceased in England. and it was said that in Bengal he had none. The effects were sworn under Rs. 15,000.

*Impey, C.J.* I do not think we are bound to weigh nicely the debts due to the petitioners. There seem to be not much merits on either side, and therefore I think there is no reason to take the administration from the first applicant. Let the caveat be discharged with costs.

*Hyde, J.*, concurred.

*Caveat discharged with costs.*