

PRIME v. MCREA.

{1 Cranch, C. C. 201.}¹

Circuit Court, District of Columbia. Nov. Term, 1804.

DECEDENTS' ESTATES—LIABILITY FOR DEBTS IN VIRGINIA.

One half of the real estate of a testator in Virginia is liable for his debts, although not charged by the will. Quære.

CRANCH, Circuit Judge, doubted, whether a decree can be made to sell the real estate of Robert McRea in the hands of his heirs unless there be a mortgage or other lien; or unless the personal estate has been applied to relieve the real.

E. J. Lee, for complainant, cited *Robinson v. Tonge*, 3 P. Wms. 398, and *Finch v. Earl of Winehelsea*, in a note to that case, and *Stile-man v. Ashdown*, 2 Atk. 608. (Cur. ad. vult.)

THE COURT afterwards decreed a sale of half of the lands and rents. [Case No. 11,423.]

¹ [Reported by Hon. William Cranch, Chief Judge.]

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