

unsatisfied; and that he caused writs of *feri facias* to be issued on them, as stated in the bill; that as to the judgments which appear to have been confessed in actions of debt on the judgments originally of Slye, Love, and the Barbers, in Baltimore County Court on the 4th of June, 1824, they were obtained in consequence of a misunderstanding of his attorney, and because he was ignorant, that executions had previously issued to Anne Arundel County; but those judgments will be vacated, or otherwise disposed of so as to keep them harmless, in such manner as the Baltimore County Court may, at its next term, direct. This defendant alleges, that he is ignorant of the other matters stated in the bill; and he denies all fraud, &c.

Upon these answers the case was brought before the Court on a motion to dissolve the injunction.

BLAND, C., 10th November, 1824.—The motion to dissolve the injunction standing ready for hearing, and the solicitors of the parties having been fully heard, the proceedings were read and considered.

This case has been gathered into the shape in which it is now presented to the Court in three separate parcels, commenced at three distinct periods. The first is that belonging to the bill filed on the 6th of August, 1822; the second is that of **623** the bill of the 4th of January, 1823; and the last is that which has been accumulated under the bill introduced to the Court on the 10th of June, 1824. On each an injunction has been awarded; and all have been combined, or in a manner consolidated by each of the latter bills, invoking the prior bills and proceedings into itself. The object of them all is to establish and protect the interest, which Ridout and Jubere claim, as trustees, for the use of John Gibson's children, in the stock of the Cape Sable Company. The present motion is to obtain a dissolution of the injunction which has been granted on the last of these bills.

Upon a careful consideration of all the facts and circumstances which gave rise to the equity upon which this injunction was granted, it appears, that the answers of the defendants, who make the motion, have not so denied them as to displace any material part of that foundation of fact upon which this injunction rests. *Salmon v. Clagett*, ante, 162. But it is a general rule, that where there are two or more defendants, a motion to dissolve cannot be heard until the answers of all of them come in. *Eden Inj.* 66; *Jones v. Magill*, 1 Bland, 177. The Barbers, Slye, and Love, have neither of them yet answered; and it is highly probable, that they may disclose facts of the greatest importance upon a motion of this kind.

It is therefore ordered, that the injunction heretofore issued in this case, be continued until the final hearing or further order.