

is the only case in which the sheriff's possession has been disturbed, unless upon some grounds affecting the validity of the judgment, or the regularity of the process, by virtue of which the seizure was made.

A petition was filed, asking that a sale made by the sheriff under the executions upon the judgments above mentioned, should be vacated, and the property resold by a trustee appointed under a decree in a creditor's suit, to which the judgment creditor was not a party. But the court refused to grant the relief asked for, and said, that it was neither warranted by authority, nor by any established principles of law or equity.

A court of equity, will, under special circumstances, and when the estate is in danger of being sacrificed in consequence of clouds upon the title, or conflict and confusion growing out of the number and character of the liens and incumbrances upon it, interpose, and keeping rival creditors off, sell the property for the general benefit of all.

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[Sometime in the year 18—, Basil Jefferson, of Calvert County, since deceased, purchased certain land in that county, of one Tubman K. Long, and died before it was entirely paid for, leaving a daughter, Ann Jefferson, (who afterwards intermarried with the complainant Boyd, and died without issue,) his heiress at law. Levin W. Ballard was appointed his administrator, and afterwards, with the consent of said Ann, and in order to save the personalty, he sold the land purchased of Long, to Alexander Harris: who, to secure the payment of the purchase money in installments, gave Ballard his bonds payable at the times therein specified. The personal estate was then handed over to Ann Jefferson, and Ballard, on the faith of said securities given him by Harris, proceeded to pay a large portion of the balance of the purchase money due by his intestate, Jefferson, and afterwards departed this life; whereupon the other complainant, Richard Hance, was appointed administrator *de bonis non*, of Basil Jefferson, and Robert W. Kent was appointed administrator, and James Kent, (on the death of Robert,) administrator *de bonis non* of said Ballard.

The original object of this suit, which was instituted by Boyd and Hance, (the former as heir of his deceased wife, and the latter as adm. d. b. n. of Basil Jefferson,) against Alexander Harris and others, was to compel the execution of his contract of purchase by Harris, and a proper application of the purchase money due by him; but in 1849, Harris being then