

or account with the other parties for the profits, or pay them anything in respect thereof. This allegation also is admitted by the demurrer, and it is a concession certainly not calculated to induce the court to look with indulgence upon a defence which must delay the other parties in the assertion of their rights.

In addition to the grounds of demurrer which have been noticed, founded upon the impression that this was a proceeding under the Act to direct descents, the objection is also made, that the name of the land is not given—the bill being in that respect blank.

There can be no doubt, that the title or claim of the plaintiffs to the aid of the court should be stated with reasonable accuracy and clearness, and that if his case is set out in a vague and indeterminate manner, a demurrer will be allowed. But if the case be so stated as to apprise the opposite party of the claim made against him, I apprehend that he would not be permitted to object to the bill upon the ground of uncertainty, though every particular circumstance is not stated. General certainty, says Mr. Justice Story, is sufficient in pleadings in Equity, and every minute particular need not be set out. *Story's Eq. Pl., sections 252, 253.*

Now in this case, though the name of the land is not given, its location, quantity of acres, and its descent to Hazel Mewshaw (under whom the parties claim), on the part of his mother, Mary Mewshaw, are stated ; so that, I apprehend, it cannot be doubted that William Mewshaw, the party demurring, and who is charged to be in possession, was perfectly well apprised of the land referred to in the bill, and prayed to be sold.

The demurrer, then, in my opinion, must be overruled, and the defendant required to answer. .

RANDALL for plaintiffs.

BOYLE for defendants.