

consulted and followed, as far as may be safe, having due regard to considerations of general convenience, and the important object of advancing the administration of justice, by avoiding, on the one hand, the multiplying unnecessary litigation, and on the other, the involving of suitors in needless and oppressive expenses. The difficulty, indeed the impossibility, of laying down any rule or abstract proposition, as to what constitutes multifariousness, which can be made universally applicable, is conceded on all hands. 1 *Daniel's Ch. Pr.*, 384; *Oliver vs. Piatt*, 3 *Howard*, 338, 411, 412.

The general object of these bills, original and amended, is to secure the application of the estate of the defendant, Cooper, to the payment of his debts, an object which the bill charges he has endeavored to defeat, by making various fraudulent transfers and conveyances thereof. The defendants are all of them, if the allegations of the bill are true, (and upon the demurrer they must be assumed to be true,) more or less implicated in these charges, though the acts and transfers with which they are respectively connected are separate and distinct. But, regarding the bill as having the object in view which has been mentioned, and seeing that the various acts with which the several defendants are charged are calculated to defeat that object, the case may possibly come within the principle decided in *Brinkerhoff vs. Brown*, 6 *John. Ch. Rep.*, 139, 157, which certainly, in some of its features, is not unlike this. Without, however, coming to any positive conclusion upon this subject, or expressing an opinion as to what might have been the fate of these demurrers but for the proceedings upon this amended bill, which have taken place in Baltimore County Court, I think that in the actual posture of the cause, as it is brought before me, it would be altogether wrong to dismiss it, as might be necessary if the demurrers are sustained; the rule being, that if the bill be liable to be dismissed for multifariousness, it should be dismissed absolutely and *in toto*, and not retained to any extent, and made the foundation of partial relief. *Gibbs vs. Claggett et al.*, 2 *G. & J.*, 29; *White et al. vs. White*, 5 *Gill*, 376.