So far, therefore, as Cooper and Grant are concerned, it would seem to be out of the question to sustain the demurrer. Independently of the proceedings which have taken place in the County Court upon the amended bill, it cannot, in my opinion, be regarded as multifarious, so far as Cooper and Grant are concerned; but in view of those proceedings, adopted in part in consequence of their neglect to oppose them at the proper time, it would seem impossible now to say they can, upon demurrer, get rid of the bill. And with regard to the defendant Powers, I am fully persuaded it is better to retain the bill, and suffer the cause to be tried upon its merits, than to dismiss it. If it is dismissed, as we have seen, it must be dismissed absolutely and as against all the parties, no part of it can be retained, or partial relief afforded under it, and hence the embarrassment and confusion which would result from the order of Baltimore County Court passed upon it, and the sale in virtue of that order.

In reference to these cases, the Courts have considered what was convenient, in particular circumstances, rather than in conformity with any absolute rule, and it appears to me that under the special circumstances of this case, it would be most inconvenient, not to say injurious, to allow these demurrers to prevail; and they will, therefore, be overruled.

E. G. KILBOURN, for Complainants.
COLEMAN YELLOTT, and JOHN NELSON, for Defendants.

SARAH H. BOWIC
vs.
PETER A. BOWIC ET AL. } JULY TERM, 1850.

[DIVORCE A MENSA—CRUELTY OF TREATMENT—CONDONATION.]

MERE petulance and rudeness, and sallies of passion, are not sufficient to constitute "cruelty of treatment," within the meaning of the Act of 1841, ch. 262; there must be a series of acts of personal violence, or danger of life, limb, or health, to authorize a divorce *a mensa*.