

19th of February, 1824, and costs. Upon which judgment execution was issued and levied upon the lands which had so descended; and, at the sale by the sheriff, this defendant became the purchaser of the whole for the sum of \$288 55; and the sheriff executed a deed to him accordingly, which has been duly recorded. That no part of the share of this plaintiff in the purchase money arising from the sale of the lands as descended, has been paid by *Reuben Ridgely*, or by any person claiming from or through him, to this plaintiff; and that his part of that purchase money, with the interest thereon, remains wholly due and unsatisfied. That this plaintiff is advised, that he has an equitable lien on all the real estate descended, to secure the payment of his proportionable part of the purchase money, into whosoever hands the same may have come. Whereupon he prayed, that the defendant *Michael Iglehart* might be decreed to pay to the plaintiff his proportion of the purchase money by a fixed day, or that, in case of his failure to do so, the land might be sold to pay what was due to this plaintiff, and for such other relief, &c.

Whereupon a *subpœna* having been issued and returned served, the defendant appeared and put in the following demurrer.

The demurrer of *Michael Iglehart* of Anne Arundel county to the bill of complaint of *Robert Ridgely* against him in Chancery exhibited. This defendant by protestation not confessing or acknowledging all or any of the matters or things in the complainant's said bill of complaint to be true in manner and form as they are therein alleged, for answer thereto this defendant doth demur in law. And for cause of demurrer says, that the said bill contains not any matter of equity whereon this court can ground any decree, or give the complainant any relief, or assistance as against this defendant. That if the matters stated in said bill do give the complainant any cause of complaint or action against this defendant the same is triable and determinable at law, and not to be enquired into by this court. That the state of Maryland is, by the complainant's own shewing, a proper and necessary party to any suit or action in this court which may be prosecuted touching the matters alleged in said bill. And that the heirs at law of *William Ridgely* in said bill named, are likewise proper and necessary parties thereto. Wherefore, and also for divers other errors and imperfections in said bill, this defendant doth demur thereto and prays the judgment of this court whether he ought to make further answer; and also prays to be hence dismissed with his costs, &c.