

improperly and unnecessarily made parties, I shall dismiss the bill altogether as to them.

Whereupon it is decreed, that the judgment of condemnation, in the proceedings mentioned, obtained by Christian L. Manhardt against the complainant Samuel Chase, as garnishee of James Bryden, is hereby permitted to remain in full force and effect in all respects whatever to the amount of \$7,706; and, as to that amount the injunction heretofore granted is hereby dissolved;—That as to the sum of \$1,620.62, the residue of the judgment, the injunction is hereby made perpetual;—That the register make out and file in this case correct copies of all the original deeds referred to in the answer of the defendant David Hoffman; and deliver the original deeds unto the complainant at any time he may demand the same, as the deeds specified and required to be delivered to him by his said contract, in the proceedings mentioned, bearing date on the 26th of March, 1812;—And that the complainant's bill of complaint as to the defendants John Purviance and David Hoffman, is hereby dismissed with costs;—And that the other defendants pay unto the complainant his full costs as against them to be taxed by the register.

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#### \* GIBSON v. TILTON.

##### MOTION TO DISSOLVE INJUNCTION.—AFFIDAVITS MADE WITHOUT THE STATE.

On a motion to dissolve an injunction, objections of every kind to the answer may be made, and are then in order; and it is a general rule, that if the facts on which the equity of the injunction rests are denied, the injunction must be dissolved; otherwise it must be continued to the final hearing. (a)

An affidavit made in another State to an answer to a bill in this Court, being an authentication called for by a tribunal here, is a part of the judicial proceedings of this State; and is not such a judicial proceeding of another State, as comes within the provision of the Constitution of the United States, and the Acts of Congress respecting the manner in which such proceedings shall be proved.

The sending of commissioners to other States to have testimony there taken; and, the having of answers in Chancery, and the like, authenticated there, by affidavit or otherwise, has long been considered as one of the most common instances of the interchange of courtesies among the nations of Europe; and is a kind of comity which should be liberally extended among the States of this Union.

Although a person, who so testifies, or makes an affidavit abroad, cannot be proceeded against criminally here; yet a party here, who should knowingly use such spurious evidence, might be punished here for practising an imposition upon the Court.

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(a) Distinguished in *Belt v. Blackburn*, 28 Md. 241. See *Salmon v. Clagett*, 3 Bland, 125.