said Charles Salmon from and against all bills, bonds or notes which the said Charles Salmon shall sign or seal as surety for the

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them an opportunity to be heard, in any case in which he may believe that the purposes of justice will be thereby subserved. *Barnum* v. *Gordon*, 28 Md. 86.

An order directing an injunction to issue is not to be treated as a nullity because it did not specifically define the matter upon which the writ was to operate. The order must be construed with reference to the prayer and object of the bill. *Hamilton* v. *State*, 32 Md. 348.

Upon the filing of the bill the defendant may instantly put in his answer so as to prevent the granting of the injunction as prayed. *Hall* v. *McPherson*, 3 Bland, 529. On a motion for an injunction made, or submitted, after filing of the answer, the answer is to be read, and where the facts forming the equity of the bill are denied by the answer the injunction ought to be refused. *Bell* v. *Purvis*, 15 Md. 22; *Lynn* v. *Mt. Savage Co.* 34 Md. 604. It is a well settled principle that if a defendant asserts positively that it is not his intention to do a certain act, or to violate any particular right asserted by the plaintiff, and there be no evidence to show the contrary, the Court will neither grant nor continue an injunction in the face of such disclaimer. *Whalen* v. *Dalashmutt*, 59 Md. 250. The fact that the bill was not filed till after the injunction was ordered, is at most a mere irregularity which will not cause a reversal of the order. *Davis* v. *Reed*, 14 Md. 152.

A complainant, on the filing of the answer, is entitled to have the cause set down for final hearing on bill and answer, and by so doing he admits the truth of everything in the answer. *Jones* v. *Magill*, 1 Bland, 177. When the cause stands simply on bill and answer, the complainant is the only party competent to set it down for final hearing. *Somerville* v. *Marbury*, 7 G. & J. 276. A motion to reinstate an injunction is equivalent to an application after bill and answer filed, and places the parties in the same position, as to the facts to be considered, as upon motion to dissolve upon coming in of an answer. *State* v. *Railway Co.* 18 Md. 194. In such a case the Court is confined to the facts stated in the bill and to the answer to these facts. If the statements of the bill be admitted, or not denied, or if new matter be set up by way of avoidance, the injunction will be continued: matter set up in avoidance or discharge, when the matter of avoidance is a distinct fact, must be proved. *Ibid.*

No injunction should be granted on a bill by a married woman in her own name, without the intervention of a next friend. *Heck* v. *Vollmer*, 29 Md. 507. If a party having applied to one Court of equity for an injunction, be frustrated, and afterwards apply to another Court of concurrent jurisdiction on the same grounds, without disclosing the first application, the defendant may apply in a summary way for relief. *Wood* v. *Bruce*, 9 G. & J. 215. In all *ex parte* applications the complainant must make a candid and full disclosure of all the facts. *Sprigg* v. *Tel. Co.* 46 Md. 67. And see *supra* sec. I.

As to demurrer to bill, see *Dennison* v. *Yost*, 61 Md. 140; *Gorsuch* v. *Thomas*, 57 Md. 338.

2. *Interlocutory or preliminary injunction.* The right of the plaintiff to such immediate interposition of the Court depends entirely upon the sufficiency of the facts charged in the bill, and if the allegations be not sufficiently full, clear and definite in support of the right asserted and of its violation in the manner charged, the defendant will not be restrained before he is heard in his defence. *Balto.* v. *Warren Co.* 59 Md. 96. The plaintiff may obtain leave to take testimony under the provisions of Rev. Code, Art.