

excrescences should be allowed to fasten upon and mar their simplicity; or retard their operations, and impose any unnecessary burthen upon a citizen who desires to obtain the benefit of them, it does seem to me, that this new course of proceeding can have no claim to the favorable consideration of this Court. Besides, the Court of Chancery of Maryland is a judicial structure as little complicated as an institution of the kind can well be made. It is lumbered up with no useless officers; and its forms of proceeding have been almost entirely divested of everything which would in * any manner, needlessly or expensively impede its course.

Its movements, regulated by well settled principles, are calculated, by the easiest modes, to bring the substance and merits of the matter in dispute distinctly before it; and to carry a case, with the least possible circuitry, directly forward towards a final determination. But, if this new-fangled mode of pleading were allowed, the simplicity of our forms of proceeding would be materially broken in upon, and confused; great additional expense incurred; new delays produced; and a case which had been moved forward as to a final hearing, upon the matter in avoidance alleged in the answer; if it was not sustained, would be turned back to be investigated anew upon interrogatories propounded to the defendant, and then again brought to a final hearing upon them. The consequences would be most seriously injurious, if not destructive of the utility and value of this Court. **158**

Upon the whole, it appears to me, from the fairest and most mature consideration I have been able to bestow upon those adjudications; which have in any manner sanctioned these negative or affirmative exceptions to the ancient general rule, that a defendant, who submits to answer, must answer as fully as the bill requires, have authorized a departure from it, which cannot or ought not to be approved and followed. And consequently, that this general rule must be allowed to stand for the government of proceedings in this Court, without any exception whatever; for I do not consider, that the assumed foundations of the rule, or its modifications and qualifications as they have been explained, can, with any degree of propriety, be regarded as exceptions to its application and operation in any case.

On bringing the several answers of the defendants to the test of this general rule, it will most clearly appear, that they are certainly defective and insufficient to the full extent designated by the exceptions taken to them. Those exceptions must therefore be sustained.

The investigation called for by the plaintiff's exceptions, and the disposition which has been made of them, will be of service in the consideration of the next question that now stands for judgment; and that is, whether these answers are such as will entitle the defendant to a dissolution of the injunction?