case the usual general traverse, denying the truth of all the unanswered allegations of the bill, has not been added by way of conclusion to any of the answers.

The late Chancellor HANSON is, however, reported to have said, that "no person acquainted with the laws, or rules, or practice of this Court, would conceive it the meaning of the Chancellor, that whatever matter stated in a bill is not denied, must be considered as admitted. No! if interrogatories stated in a bill are not answered, the complainant has a right to except to the answer; and, if the interrogatories are proper, the defendant will be compelled to answer plainly, fully and explicitly. If then any material matter, charged in the complainant's bill, has been neither denied nor admitted by the answer, it stands on the hearing of the cause for nought. This assuredly every lawyer will admit." *Hopkins* v. *Stump*, 2 *H. & J.* 304.

But to the latter part of what is here said I have found myself unable to assent; and, therefore, I deemed it a respect due to the memory of my predecessor to set down the authorities and reasons which have led me to a different conclusion. From all that has been said upon the subject, it appears to be agreed on all hands, that the plaintiff, being entitled to an answer to each material allegation of his bill, may except to an answer which omits to respond to any of them; that, in England and Virginia, the plaintiff, by a certain prescribed mode of proceeding, may have the unanswered allegations taken for true; but, if he omits to take that course, for that purpose, and goes to hearing, he must then prove the truth of the unanswered allegations, or they will be disregarded; that, according to Chancellor HANSON, the unanswered allegations stand on the hearing of the case for nought; and, that in my opinion all material allegations of the bill, as to which the answer is entirely silent, are, on the hearing, to be taken *pro confesso*. (*k*)

A fifth general rule is, that where an answer, in the body of it, purports to be an answer to the whole bill, but the respondent

(*k*) In the case of *Warfield* v. *Gambrill*, 1 G. & J. 510, it has been since laid down by the Court of Appeals, that "supposing there is no denial of title in the answer, and that the material allegation in the bill, the seisin of the complainant is unanswered, this is clearly no admission of any unanswered fact." Chancellor HANSON, 2 H. & J. 301, says, if any material matter charged in the complainant's bill, has been neither denied nor admitted by the answers, it stands on the hearing of the cause for nought; and in *Young* v. *Grundy*, 6 Cranch, 51, Ch. J. Marshall, in delivering the opinion of the Court says, "that if the answer neither admits nor denies the allegations of the bill, they must be proved upon the final hearing. Upon a question of dissolution of an injunction, they are to be taken as true." "A respondent submitting to answer must answer fully, but if the answer be defective, and insufficient to meet the allegations and interrogatories of the bill, the complainant, desiring a fuller response, much except to the answer. If he do