gard to which he must, of course, be able to speak with more certainty than any one else. In the *Maryland Ch. Pr.*, 94, it is said, the writ will be discharged, if, on the hearing it appears that the answer fully denies the existence of the claim, or the intention to leave the state. Lord Eldon in the case of *Amsiuck* vs. *Barklay*, 8 *Vez.*, 595, said, if the writ was granted upon affidavits of declarations, or facts, as evidence of the intention to go abroad, the affidavit of the defendant denying the intention would be of no avail. And in the cases of *Dunham* vs. *Jackson*, 1 *Paige*, 629, and *Mitchell* vs. *Burch*, 2 *Paige*, 606, the Chancellor seemed to consider that the fate of the application for the writ, in the one case, and the motion to discharge it in the other, would depend upon the admitted or undenied intention of the party to leave the state before the decree could be made effectual against him. In *Thomas* vs. *Halsey*, 7 *Johns. Ch. Rep.*, 189, the answer was permitted to be read on a motion to discharge the writ, though the time for filing exceptions to it had not expired, and was held sufficient to remove the ground for the writ, even if well sustained by the bill and the accompanying affidavits. In this case the Chancellor considers it proper, in view of the positive denial in the answer of the intention to leave the state imputed to the defendant by the bill, and of the other defences taken in the answer, to grant the motion, and will pass an order accordingly.

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Wm. P. Preston and Wm. Alexander for Complainant.
R. Johnson and J. M. Campbell for Defendant.

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[The charges of the bill having been sustained by proofs taken under the commission, a decree was passed on the 15th of May, 1848, divorcing the parties *a mensa et thoro*, and by agreement of the parties, allowing the wife the sum of $500 in lieu of all claim for alimony.]