

He insists that the trespass case, on which the *non-suit* was entered, was irregularly decided, and not upon the merits, and could not preclude Robinson from holding respondent liable for the rent. He denies all fraud with which he stands charged, avers that the course taken by him was fair and just, and requisite to protect himself from the fraud and imposition about to be practiced upon him by complainant, by compelling him to pay the same debt twice, and pleads the statute of limitations to the claim set up by the bill.

---

[After the filing of these answers, a motion was made to dissolve the injunction, upon the hearing of which, the Chancellor delivered the following opinion, on the 5th of July, 1848.]

---

THE CHANCELLOR :

That the bill in this case states facts, which, if proved, or admitted, constitute a good defence against the judgment at law seems too clear for controversy. The Court of Appeals must have thought so, as otherwise, instead of remanding the record for amendment and further proceedings they would have dismissed the bill.

The question then is, have the answers removed the equity of the bill? I think not. That of Mr. Mayer cannot have that effect, because he does not profess to know, and could not know the circumstances upon which the equity is founded. The answer of the defendant, Lee, is vague and unsatisfactory, and with every disposition, as is manifest, to get rid of the injunction, leaves many of the material facts of the bill unanswered. There is a good deal of confusion in his statement of the understanding and terms upon which the judgment at suit of Robinson against him was rendered. He admits that the judgment was entered satisfied, though he paid no part of it, and states that neither he nor his attorney, has any recollection of what took place at the time of or after its rendition. He denies that, according to the best of his knowledge, information or belief, he made any agreement with Robinson in relation to said judgment, either prior to or at the time it was entered, to the