INFANCY, INFANTS—*Continued.*

4. The answer of an infant by his guardian is not evidence against him, and the necessity of establishing the case as stated in the pleadings by proof is not obviated by making the infant a plaintiff. *Benson* vs. *Wright et al*, 278.
5. A mortgage of her reversionary interest in real and personal estate, executed by a *feme covert* infant to secure a debt due by a firm of which her husband was a member, is absolutely void and incapable of confirmation. *Cronise* vs. *Clarke et al*, 403.
6. She may insist upon her incapacity to execute such an instrument notwithstanding a decree has been passed for the sale of the mortgaged property under the act of 1833, ch. 181, the proceeding to obtain such decree under that act being *ex parte*. *Ib.*

INJUNCTION.

1. Upon a motion to dissolve an injunction, the responsive averments of the answer in the absence of countervailing testimony are to be taken as true, and if the facts constituting the equity of the bill are denied by such positive responsive averments, the injunction must be dissolved. *Wood* vs. *Patterson*, 335.
2. In this case an injunction was granted upon the averment in the bill, that defendant offered to compromise a balance appearing to be due the complainant by certain accounts rendered, by the payment of a certain sum, and that in the addition of these accounts there was an error of $1,000. The answer denied this allegation by averring that defendant's offer was made without any reference to the stated balance, but with reference to the details and items of the account, and to the grounds of the defendant's claims against complainant. HELD—
   That the equity of the bill is sworn away by this answer, and the injunction must be dissolved. *Ib.*
3. The Court of Chancery in this state will not interfere by injunction where the injury is not irreparable and destructive to the plaintiff's estate, but is susceptible of perfect pecuniary compensation, and for which the party may obtain adequate satisfaction at law. *Cockey* vs. *Carroll*, 344.
4. Upon motion to dissolve an injunction upon bill and answer, the answer, when speaking responsively to the bill, must be taken as true, and if it denies the averment of the bill upon which the equity for the injunction rests, the injunction must be dissolved. *Harris* vs. *Sangstons*, 394.
5. Though this court has not the power to review, in the proper sense of that term, a decree of the Court of Appeals, either upon the state of facts upon which that court acted or any others, yet when a state of facts has arisen since such decree was passed showing its *satisfaction*, this court may interfere by injunction to prevent the decree from being used as an instrument of injustice, and an original bill is the proper form to be adopted in such circumstances. *McClellan* vs. *Crook*, 398.
6. On motion to dissolve on bill and answer, so much of the bill as is not denied by the answer, is taken for true. *Cronise* vs. *Clark et al*, 403.