

solved without allowing time to give good security.—*Williams v. Hall*, 194.

The injunction bond should cover the whole amount of the supersedeas judgment, 194.

The injunction cannot be dissolved if the answer be evasive, or does not deny the facts on which the plaintiff's equity rests, 195.

Although a defendant cannot directly compel his co-defendant to answer, yet the plaintiff may be forced to urge forward, so as to enable the defendant to move for a dissolution.—*Jones v. Magill*, 198; *Tong v. Oliver*, 199.

The answer of an administrator if contradictory will not be sufficient to dissolve the injunction.—*Tong v. Oliver*, 199.

After the dissolution of the injunction the plaintiff may proceed on his bill for relief at the final hearing.—*Paul v. Nixon*, 201.

On a motion to dissolve, the facts set forth in the answer are alone to be regarded, not the opinions of the defendant.—*Chase v. Manhardt*, 335.

If it appears that there still remains a dispute between the parties the injunction is continued, 336.

But if there appears to be an overcharge or mere mistake in a judgment at law, it may be corrected without ordering a new trial, 350.

If the facts on which the plaintiff's equity rests are positively denied, the injunction must be dissolved.—*Gibson v. Tilton*, 355.

An injunction may be granted and continued as a suitable auxiliary to the appointment of a receiver.—*Williamson v. Wilson*, 428.

The mode of obtaining a dissolution of the injunction where the suit has abated by the death of a party.—*Griffith v. Bronaugh*, 548.

No injunction will be granted to stay proceedings at law until a bond has been given.—*Billingslea v. Gilbert*, 566.

The penalty of the injunction bond to stay proceedings at law should be at least double the amount of principal, interest, and costs, 566.

If the surety be insufficient the party may be allowed time to give good surety; but not if the court has been imposed upon, 566.

Instead of a bond the defendant at law may deposite the amount with the register, 566.

Where the dissolution of an injunction has been obtained by fraud, it may be reinstated, 563.

An injunction to stay waste or trespass may be granted here in any case in which it would be granted according to the English authorities.—*Duval v. Waters*, 576.

Where waste has actually been committed, the plaintiff may under an injunction bill have an account of waste committed, 577.

According to the English authorities an injunction cannot be granted to stay waste, if the title be denied, 570, 577.

But in cases of patent right, nuisance, and some others, an injunction may be granted *pendente lite* at law, 577—584.

Here an injunction may be granted to stay waste pending an action at law, or a suit in this court to try the right, 580; *The Attorney General v. Norwood*, 581; *Coale v. Garretson*, 581; *Flannagan v. Krips*, 582; *Gittings v. Dew*, 583.

But if the plaintiff fails or refuses to institute a suit to establish his right, he can have no injunction to stay trespass upon land his title to which is denied.—*Duval v. Waters*, 585.

If after the plaintiff has filed his bill here to establish his right, waste is threatened or committed, he should apply here for an injunction by petition, not by bill, 585.

An injunction to stay waste pending a suit to try the right will not prevent the occupying tenant from making the ordinary uses of the land, 584.

After a judgment at law the injunction may be perpetuated, dissolved, or limited according to the extent of that judgment.—*Hill v. Bowie*, 594.

#### INSOLVENCY.

A person in solvent circumstances may pay as he pleases, but when he falls into a condition of insolvency that privilege ceases, and his effects must be distributed equally or pro rata among all his creditors.—*Williamson v. Wilson*, 425.

#### INVESTMENT.

Money in court or in the hands of its trustee, may be invested so as to be made productive pending the litigation.—*Latimer v. Hanson*, 56.

#### ISSUE OF FACT.

In a creditor's suit if a claim be strongly litigated and of difficult investigation, an issue may be sent out.—*Ringgold v. Jones*, 89.

It is not indispensably necessary in any case that an issue should be made up; it is only resorted to where the weight of the evidence can be better estimated by a jury.—*Fornshill v. Murray*, 485.

#### JUDICIARY.

The colonial courts of vice admiralty and their jurisdiction.—*The Chancellor's case*, 607; *Hastings v. Plater*, 613.

A history of the independency of the judiciary, 607—615.

The mode of constituting a chancellor