ever, that when the defendant submits to answer the exceptions; or the answer upon exceptions, is held to be insufficient, and the defendant answers accordingly, the plaintiff can take no other or new exceptions, but must have the sufficiency of the whole of such answers again put to the test upon the original exceptions. (*y*)

An insufficient answer must of necessity, be regarded as no answer; since it would be unjust or ruinous, to compel a plaintiff to reply to, and go to trial, on an insufficient answer, full of absurdities and inconsistencies, or which was, in many particulars, palpably deficient. The taking of exceptions to an answer, is tantamount to a demurrer, upon an insufficient plea at law; and if such a demurrer is sustained, the plaintiff has judgment, because the plea is insufficient; and so in equity, on exceptions to the answer being sustained, the like consequences must follow. But for the adoption of this rule, there would seem to be no end to the delays which a defendant might produce by repeated sham answers. And indeed, even as the rule now stands, according to the English system, the expensive delays in chancery proceedings, under the present mode of obtaining a full answer, after a previous one had been declared insufficient, have been considered as so serious a grievance, that there has been recently a great effort made to obtain from parliament, some reforms, similar to those which have been so long since engrafted into our system. (*z*)

If, then, we apply these reasonable and established principles, that, where a defendant has failed to put in a sufficient answer, as required, the plaintiff may renew his course of proceeding from the point at which he had left off when the insufficient answer was filed; and that an insufficient answer must be regarded as no answer, to the course of proceedings prescribed by the before-mentioned legislative enactments, it will be seen that it has been expressly declared, that on a defendant being returned attached for

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(*y*) Dupont *v.* Ward, 1 Dick, 133; Turner *v.* Turner, 1 Dick. 316; Gregor *v.* Arundel, 8 Ves. 88; Partridge *v.* Haycraft, 11 Ves. 575; Williams *v.* Davies, 1 Cond. Cha. Rep. 217; Ovey *v.* Leighton, 1 Cond. Cha. Rep. 433; Hodgson *v.* Butterfield, 1 Cond. Cha. Rep. 434; 1 Harr. Pra. Cha. 321.—(*z*) Anonymous, 2 P. Will. 481; Hawkins *v.* Crook, 2 P. Will. 556; S. C. Mosely, 294, 383; Turner *v.* Turner, 1 Dick. 316; Bromfield *v.* Chichester, 1 Dick. 379; Child *v.* Brabson, 2 Ves. 110; Davis *v.* Davis, 2 Atk. 24; Darwent *v.* Walton, 2 Atk. 510; Wallop *v.* Brown, 4 Bro. C. C. 212, 223; Gordon *v.* Pitt, 4 Bro. C. C. 406 and 544; Attorney-General *v.* Young, 3 Ves. 209; 1 Hove. Supp. 362; Jopling *v.* Stuart, 4 Ves. 619; Gregor *v.* Arundel, 8 Ves. 88; Bailey *v.* Bailey, 11 Ves. 151; 2 Hove. Sup. 251; Anonymous, 2 Ves. jun. 270, and 1 Hove. Sup. 256; Landon *v.* Ready, 1 Cond. Cha. Rep. 23; 2 Eq. Ca. Abr. 179; Forum Rom. 106.