sary connection between the motion to dissolve, and exceptions to the answers. (*a*)

It is, in general, true, that if the answer is in any respect insufficient, the injunction cannot be dissolved on the motion which the defendant has a right to make on filing it. Yet, an answer may be only exceptionable in those parts which are not, necessarily, connected with so much of the case as gives rise to the equity upon which the injunction rests; and therefore, as in such cases, a decision upon the motion does not involve a consideration of the other defective and exceptionable portions of the answer; exceptions to those parts of it may, without needless repetitions of the same argument, be separately considered and determined. But it has always seemed to me, that a defendant, who had manifestly omitted to answer, or had answered evasively any substantial part of the bill, not blended with that which peculiarly related to the grounds of the injunction, would come with a very ill grace to ask for its dissolution. The court expects from every one, seeking relief, unreserved frankness; and he who evidently and purposely holds back something cannot complain if he should find himself regarded with suspicion and distrust, and be refused that to which he may, in truth, be entitled; and under other appearances might have obtained.

On a motion to dissolve, on the coming in of the answer, the court is confined absolutely to the bill and answer. The answer, at least so far as it is responsive to the bill, is to be taken for true. No *ex parte* affidavits, or other proofs, are ever admitted at that stage of the case, in support of either the bill or answer. (*b*) The discussion is confined within a narrow compass, as to facts and circumstances; and neither party can be taken by surprise; because the notice of the motion has given them both time to meet and repel any unfounded objection to their allegations; all of which, upon the hearing of that critical, and often all-important motion, should be found to be such as will stand the test of the closest and severest scrutiny.

But however it may be in the English courts, in this particular, (*c*) it has long been the practice of this court to hear and decide upon the motion to dissolve, and the exceptions to the

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(*a*) Doe *v*. Roe, 1 Hopkins' Rep. 276.—(*b*) It has been since provided, that the court may order testimony in reference to the allegations of the bill to be taken, so that it be returned on the day when the motion shall be heard, 1835, ch. 380, s. 8.—(*c*) Eden Inj. 73, 78.