considering an insufficient answer as no answer. (*y*) In this state, obedience to an order directing a more perfect answer, upon exceptions being sustained, is usually enforced by attachment; but, as in England, on the defendant's failing to answer as ordered, and the process of attachment failing to coerce an answer, as required, the whole bill may be taken *pro confesso*. (*z*) So where the defendant had answered, and the plaintiff then amends his bill, introducing new matter, he is entitled to an answer to such new matter; because, an amended bill is a part of the original bill, and the defendant's answer thereto is a part of his original answer; and, consequently, the defendant is as much bound to answer the amended bill as to answer each portion of the original bill itself. Therefore if he fails to do so, the plaintiff may proceed, according to the course of the court, and have his whole bill taken *pro confesso*. (*a*) For, as it has been said, if the plaintiff should not be entitled to such a decree under those circumstances, then the authority of this court would be very defective, and the justice of it might be eluded. (*b*)

A plea is a special answer to a bill, differing in this from an answer in the common form, as it demands the judgment of the court, in the first instance, whether the special matter urged by it does not debar the plaintiff from his title to that answer which the bill requires. But where, from the matters set forth in the bill, an answer is required to support a plea, it will be overruled without such an answer; upon the ground, that the matters not thus answered are taken for true. As where the bill sets out a claim arising on a mortgage made more than twenty years before the institution of the suit, and then goes on to shew, that there has been such partial payments, or recent acknowledgments as would take the case out of the statute of limitations, were it pleaded. In such case a plea of the statute of limitations must be supported by an answer denying such partial payments and recent acknowledgments; for, otherwise, those circumstances, not being denied by the plea, would be taken for true, if not denied by way of answer, and would shew, that the case had been taken out of the statute. (*c*)

(*y*) Davis *v.* Davis, 2 Atk. 21; Attorney-General *v.* Young, 3 Ves. 209; Bishton *v.* Birch, 1 Ves. & B. 367; Edwards *v.* McLeary, 2 Ves. & B. 258.—(*z*) Attorney-General *v.* Young, 3 Ves. 209; Seagrave *v.* Edwards, 3 Ves. 372.—(*a*) Jopling *v.* Stuart, 4 Ves. 619.—(*b*) 1 Harr. Pra. Cha. 277; Davis *v.* Davis, 2 Atk. 21; Buckingham *v.* Peddicord, 2 Bland, 447.—(*c*) Plunket *v.* Penson, 2 Atk. 51; Roche *v.* Morgell, 2 Scho. & Lefr. 725; Bayley *v.* Adams, 6 Ves. 594.