

such answer as evidence against the defendant making the same; but this section shall not apply to motions to dissolve an injunction or to discharge a receiver.

Coale v. Chase, 1 Bl 136. Salmon v. Clagett, 3 Bl 125. Bellona Co.'s Case, 3 Bl. 442. Washington University v Green, 1 Md. Ch. 97. Wood v. Patterson, 4 Md Ch. 335. Harris v. Sangston, 4 Md, Ch. 394. Cronise v. Clark, 4 Md. Ch. 403. Doub v. Barnes, 4 Gill, 1. Hutchins v. Hope, 7 Gill, 123. Briesch v. McCauley, 7 Gill, 187. Winchester v Balto. & Susque. R R. Co., 4 Md. 231. Stockett v Holliday, 9 Md. 486. Warren v. Twilley, 10 Md. 39. Taggart v. Boldin, 10 Md. 114. Mickle v. Cross, 10 Md. 360. Hamilton v. Whitridge, 11 Md. 144. Bouldin v. Mayor & C. C., 15 Md. 22. Gelston v. Bullman, 15 Md. 267. Mahaney v Lazier, 16 Md. 69. Rich v Levy, 16 Md. 74. Dorn v. Bayer, 16 Md 145. Dorsey v. Hagerstown Bank, 17 Md 412. Colvin v. Warford, 17 Md. 433. State v. N. C. R. W. Co., 18 Md 194. Hubbard v. Mowbray, 20 Md. 165. Huston v. Ditto, 20 Md. 306. Polk v. Rose, 25 Md. 153. Watson v. Watson, 58 Md. 442. Dieffenbach v. Vogeler, 61 Md. 378.

#### Rule 27.

**147.** If the plaintiff in his bill shall not require an answer under oath, or shall only require an answer under oath with regard to certain specified interrogatories, the answer of the defendant, though under oath, except such part thereof as shall be directly responsive to such interrogatories, shall not be evidence in his favor, unless the cause be set down for hearing on bill and answer only; but an answer under oath may, nevertheless, be used as an affidavit, with the same effect as heretofore, on a motion to grant or dissolve an injunction, to appoint or discharge a receiver, or on any other incidental motion in the cause.

#### Rule 28.

**148.** Whenever the answer of the defendant shall not be excepted to, or shall be adjudged or deemed sufficient, the plaintiff shall file the general replication thereto within fifteen days thereafter, unless he shall set the cause down for hearing on bill and answer as to said defendant or defendants answering; and in all cases where the general replication is filed, the cause shall be deemed to all intents and purposes at issue, without any rejoinder or other pleading on either side. If the plaintiff shall omit or refuse to file such replication within fifteen days after answer filed, the defendant shall be entitled to a rule further proceedings within ten days after notice of such rule; and upon failure to comply with such rule, the defendant shall be entitled to have