

decree. The difficulties suggested by the defendant's counsel with regard to enforcing the final decree, equally apply to an injunction issued at an earlier stage of the cause. In every case, if an attachment be applied for and issued for a violation of an injunction, the inquiry is, has the defendant disobeyed the order of the Court? and I cannot perceive why there will not be as much embarrassment in determining this question if the injunction be issued in the commencement as at the conclusion of the cause. The argument is, that the defendant ought to be informed by the decree of the Court what he is to do or to leave undone, and that unless he is so informed upon the return of the attachment, the question will be presented whether he has done that which was necessary to be done to prevent the results against which the complainant asks the aid of the Court. But will not this precise question come up in the case of an injunction issued at an earlier stage of the cause? and if so, and it be conceded or shown that an injunction like the present may issue at such earlier stage, there would seem to be no reason why it should not issue at its conclusion. I therefore think, whether the injunction be merely auxiliary to the relief prayed by the bill, or be, as it is in this case, the ultimate object of the suit, the form in which it was asked in this case is no valid objection to it.

But though I think there is no valid objection to the form in which the aid of the Court is invoked, I entertain strong doubts upon the question of jurisdiction. The case appears to me in its essential features not distinguishable from that of *Amelung vs. Seekamp*, 9 G. & J., 468, and I have not been able to discover how it can be brought within any of the exceptions to the general rule then announced by the Court of Appeals. It is not, I think, shown here that the complainant may not "obtain perfect pecuniary compensation in the ordinary course of law;" "that it is a case of trespass going to the destruction of the inheritance, or that the mischief is remediless." I am not satisfied that the mischief complained of "is irreparable," or that the interference of the Court, by way of injunction, is necessary "to suppress a multiplicity of suits and