

on the 10th of December, 1823, *Ordered*, that the plaintiffs give bond as prayed, or shew cause on the 10th of January then next; *Provided*, that notice be given, &c.

7th May, 1824.—JOHNSON, *Chancellor*.—On the 21st of April last, after an attentive examination of the arguments *pro* and *con*, on the motion to dissolve the injunction, which had been issued in this cause, and after a minute and particular scrutiny, and the best reflections I could bestow on the subject, the injunction was continued, for the reasons then given in detail. At the last term, and when the case stood in the same situation as at the former argument, my attention has again been called to the subject, and the cause elaborately argued, relying on the part of the defendants, that the injunction ought not to have issued without bond and security; and that it should be dissolved, unless such bond should be given by a prescribed day.

On the part of the complainants it was insisted, that, supposing a bond to have been necessary, yet as the injunction was obtained without one, that the irregularity of issuing it was waived by the answer. I have again considered the case and see no reason to retract from the opinion pronounced on the former occasion; nor can I discover any error in granting the injunction without bond; if, in any case a bond should be dispensed with, this is one; and the decisions of my predecessors in office fully warranted the issuing of this injunction. The time, the manner, the effect, and the immediate ruinous consequences from the hasty and unwarranted judgment demanded the immediate interposition of this court; and, unless compelled to demand an injunction bond, it should be dispensed with.

In the case of *Hampsen v. Edelin*, (*f*) no bond was given to prosecute the injunction that issued. In that case, an execution was laid on a piece of land, that the complainant had purchased and obtained a bond for the conveyance of, prior to the rendition of the judgment. Also in the case of *Stewart v. Yates*, (*g*) an

(*f*) 2 H. & J. 64.

(*g*) STEWART *v.* YATES.—This bill was filed, on the 22d of October, 1817, by William Stewart against John Yates, Thomas Armatt, William Brogden, Lewis Duvall, John N. Watkins, and The President, Directors and Company of The Farmers' Bank of Maryland. The bill states, that some time previous to the 23d of March, 1797, a purchase was made of Allen Quynn by Joseph Watkins, of a tract of land which was conveyed to him accordingly, with an agreement, that Watkins should afterwards convey to the plaintiff a certain portion of it containing about sixty-three acres, which had been previously set apart for him; and which he