

BLAND, C., 24th May, 1830.—To obtain an attachment for a violation of an injunction, the party grieved must, by petition, state particularly the nature and extent of the breaches of the injunction of which he complains, and the person by whom they have been committed; and his petition must be supported by his own oath, or by the affidavits of others. Upon which, an attachment may be ordered, returnable forthwith, or on a particular day according to the nature and exigency of the case. The breaches so set forth in the petition and annexed affidavits are the charges which the party brought before the Court, is expected to answer upon oath. The charges thus set forth by the party complaining, standing in the place of special interrogatories, none need be propounded to the accused. If the party attached makes a full and frank answer to all the facts, and positively denies or justifies all that is alleged against him, he must be at once discharged, as having entirely acquitted himself of the contempt imputed to him. I know of no instance in this Court in which \*proofs and affidavits have been allowed to be introduced in opposition to the answer **487** of the accused. If, on the other hand, the accused does not, by

ant the sum of £776 15s. 6d. with interest from the 31st of January, 1800. until the time of payment, be reversed. Decreed, also, that the complainant account with the defendant for the sum of £537 12s. 7d. being the amount of the one-half of the improvements erected on the said tract of land called United Friendship, at the time of the division thereof between the said parties, and that the defendant account with the complainant for the sum of £400, being the amount of the difference of soil, between the respective parts of the said tract of land, and that the said two sums of £537 12s. 7d. and £400, bear interest from the 12th November, 1785. And that the auditor, in restating the said account, shall also charge the defendant with a moiety of the profits of the said ferry, agreeably to his said last stated account and report, with interest thereon, to be computed from the periods stated in the said account. And that the auditor, in stating such account, and ascertaining the profits of the new ferry set up by the defendant, shall ascertain the reasonable expense of setting up and establishing the same, as well as afterwards keeping the ferry, and shall charge the complainant with one-half part of the said expenses. Decreed, also, that all and every part of the said decree respecting the agreement stated in the said bill for dividing the land called United Friendship between the parties, and carrying the same into full effect; and all and every part of the said decree respecting the ferry; and the complainant being entitled to hold one-half part of the same, and to have and receive one moiety of the net profits thereof, as tenant in common with the defendant, conformably to the limitations and conditions contained in the said decree, be affirmed. Decreed, also, that the Chancellor pass such decree and order as shall be necessary to have the account stated in the manner herein directed: and on return thereof, that he pass a decree for the payment of principal and interest due the complainant; and that in the meantime he pass such further order and decree as may be necessary for carrying into effect those parts of the said decree, affirmed by this Court. Decreed, also, that the decree of the Chancellor respecting the payment of costs by the defendant, be reversed, and that each party pay his own costs in the Court of Chancery, and in this Court.—4 H. & J. 115.