

nance and at a mine, and which may not be necessary for the transportation of materials from the one terminus to the other; and, that the defendant is not authorized to make a road for the transportation of iron, the product of a furnace, to a market, which, the bill alleges, is the sole object in making the road in question.

It further alleges, that the lands have been already greatly wasted; and, that if the defendant is not restrained by the authority of this court, they will be irreparably wasted and injured, by cutting down and removing large masses of wood and timber, which defendant has already cut, and is yet engaged in cutting, so as, in the apprehension of the complainant, there will not be left upon the lands a sufficiency for its purposes, as an appendage to the furnace.

The bill, then, after charging that the defendant had, in the prosecution of his purpose to make the road, entered upon lands rented to other persons, and, thereby, impeded the complainant in collecting the rents, proceeds to charge that the erection and employment of the saw mill in the immediate vicinity of the steam engine, furnace and their dependant improvements, will expose them all to great hazard of loss, by fire, against which, there can be no adequate security.

An injunction was granted upon this bill, prohibiting the defendant from cutting down wood and timber, upon the lands of the plaintiff, for the purpose of constructing the saw mill, or making a tram or rail road from the furnace to the rail road of the Maryland Mining Company, or in any other direction, except to a mine on the lands of the plaintiff, or for any purpose other than the transportation of materials to and from said furnace and mine.

Upon the argument of the motion to dissolve the injunction, the Chancellor, after making a statement of the facts of the case, of which the above is in substance a copy, said :]

THE CHANCELLOR :

This injunction, in the view taken by me at the time, rested upon two very sufficient grounds, assuming the contract did