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And, the Court of Appeals of this state, in the case of *Amelung vs. Seekamp*, 9 G. & J., 468, adopting the language of Chancellor Kent, in *Jerome vs. Ross*, say, "that an injunction is not granted to restrain a mere trespass, where the injury is not irreparable and destructive to the plaintiff's estate; but, is susceptible of perfect pecuniary compensation, and for which the party may obtain adequate satisfaction in the ordinary course of law.

I thought it, therefore, quite manifest, that if the erection and working a saw mill, in the immediate vicinity of the plaintiff's furnace, and its dependent improvements exposed them, as alleged, to great hazard by fire, and if the destruction of wood and timber, for making the road, would be so considerable as to leave an insufficient supply upon the lands, as an appendage to the furnace; and assuming, as I did then assume, that the agreement between the parties gave the defendant no authority for these acts, that a clear case was made out for an injunction. It was a case of irreparable ruin to the property in the character in which it had been held and enjoyed, and not susceptible of perfect pecuniary compensation.

Much of the argument upon the motion to dissolve the injunction has turned upon the construction of the contract; and I am free to confess, that there is much difficulty in putting an interpretation upon it which will reconcile its various provisions and make it conform to what may, reasonably, be supposed to have been in the contemplation of the parties at the time it was made.

Looking, exclusively, to the 5th article of the agreement, and it would seem very clear, that the defendant could make no tram or other road, except for the transportation of materials to and from the furnace and mines; and yet, there are other provisions, from which the inference is very strong, that the right to make a road, by which the defendant could reach a market, was intended to be reserved to him. He had a right, for example, to mine and sell minerals and materials to other