

stated, that the Court may see that the apprehensions of irreparable mischief are well founded.

The fact that the injury complained of is one that may be continued, does not prove that it is not susceptible of adequate compensation in damages by an action at law.

The permitting a race or ditch for conducting water to remain out of repair, so that the water filtrates through the bank, thereby flooding and injuring the meadow of the complainant, is not such an injury as will authorize the interference of equity by way of injunction.

If actions had been brought at law and damages recovered, and defendant still persisted in permitting the ditch to remain in a defective condition, equity would then interfere by injunction, because it would be shown that the Courts of Law were inadequate to afford relief.

If the race was in as good condition as it was during the life of the person under whom both parties claim, or if the injury complained of was caused by the act of complainant himself, he could not have redress in any Court upon any principle.

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[The bill in this case was filed upon the equity side of Baltimore County Court, and alleges that Samuel Owings, by his will, devised his dwelling and plantation, lying across Owings's Valley, in Baltimore County, in equal portions to his daughters, Deborah, Hannah, and Urath, giving the lower or eastern portion, on which was his house, barn, saw-mill, and other improvements, to Deborah. That these daughters, and the other heirs-at-law of the said Samuel, united in an amicable partition of his estate, and conveyed to each other their respective portions of it. That by this partition Deborah received the farm lying east, embracing the dwelling, mill, and barn, as the testator desired. Hannah, then a widow, named Hannah Ballard, received the farm lying west and westwardly, and Urath the farm lying highest up the Valley, and farthest west. That Deborah married the defendant, Henry Stevenson, with whom she now lives on her said farm. That Urath intermarried with complainant, who, in virtue thereof, became possessed of her said farm, and in 1840 he purchased the intervening farm of Hannah. That these three farms, extending across Owings's Valley, each contain many acres of valuable meadow land, and are all intersected by the stream of "Jones's Falls." That about twenty years before his death, said Samuel Owings having