

out the bed, and preserving the grade and current, and repairing the defects in the embankments of said race, so that complainant's crops might and should be preserved and protected from any manner of injury, in consequence of the waters becoming stagnant in or escaping from the banks thereof.

The bill then charges that said Stevenson, while he exercises his right of entering on complainant's lands in a capricious and wanton manner, and doing from time to time imperfect repairs, has allowed the bed of said race, in its lower sections on complainant's land, to be filled up, its lower embankments to fall into decay, the current of the stream to be thereby checked, and its waters to be backed and forced out at various places on complainant's meadows, ruining them and drowning his crops, to his incalculable injury and detriment. That he has been almost constantly suffering for several years past, and is now suffering in his property from the injuries and aggressions aforesaid, notwithstanding the said repeated suits at law, and the judgments therein; that in the course of the last summer he has particularly suffered from the flooding and drowning of his crops and lands, and is yet thus suffering in consequence of the perforations and decay of the embankments of said race, and the filling and choking up of its bed, and the total omission, neglect, and refusal of said Stevenson to repair and correct the same. That unless he procures the interposition of this Court, he must be driven to multiplied and endless, and perhaps fruitless, suits at law, and that he certainly is and must be deprived of the proper and useful enjoyment of his freehold, and subjected to great and permanent injury in his property by the said omissions of duty and aggressions of said Stevenson. He therefore prays for a writ of injunction directed to said Stevenson, commanding him "no longer to permit to be and remain out of repair, the banks of the race or ditch conducting the water of 'Jones's Falls' through the farms of your orator in Baltimore County aforesaid, to the mill and dwelling-house of the said Stevenson, so as by remaining ungraded and cleared out, to permit the waters of said race or ditch to flood or weep upon the said meadow lands of your