

which the defendants are now erecting, and passed through the feeder into their new canal.

And it is further alleged, that the old locks, from which the extension of the canal complained of is to be made, are below the dam; and within the District of Columbia; and consequently, that the whole of the extension of the canal, charged to be illegal, is beyond the jurisdiction of this court; that the proper termination of the canal is a matter which, by the act of incorporation, belongs exclusively to these defendants alone; and has been accordingly determined upon by the company at a full meeting of the stockholders, convened for that and other purposes; and moreover, that, after it had thus been determined upon, the matter was brought before the Circuit Court for the District of Columbia, and the judgment of that court pronounced thereon; which judgments of the body politic and of the Circuit Court are final and conclusive upon the matter, as against this and all other tribunals.

Bills of injunction are always submitted to the chancellor *ex parte*, and most commonly asking relief under some pressing emergency, which admits of little or no delay. It is not always practicable, thus, to obtain a clear view of the case from the bill alone; the haste, negligence, or unskilfulness with which it has been framed often leaves a mist hanging over a part of the case where light is most wanted; nor is it easy, in every instance, at once, to look through the mazes of a complicated case, so as either to appreciate the merits of the plaintiff's pretensions at their full worth, or to detect their infirmities, and want of equitable support. Under such circumstances, if there appears to be strong and plausible reason to believe, that the plaintiff has a just claim to relief, I have always deemed it best to grant the injunction, because for the purpose of obtaining an injunction, it is sufficient that the case be important and doubtful; (*w*) and at the same time to give the defendants, as in this instance, an opportunity of having its propriety reconsidered as soon as possible. (*x*)

Passing by the informalities of the pleadings, there appear to be three distinct subjects presented to the court for investigation. *First*, the plaintiff's claim to certain natural mill-sites which, it is alleged, are in danger of being irreparably injured or destroyed. *Secondly*, the plaintiff's claim to certain artificial mill-sites, derived from the defendants' canal, which also, as it is alleged, are in like imminent danger—and, *Thirdly*, the illegal and unauthorised expen-