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Portis vs. Fall et al.

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PORTIS vs. FALL et al.

1. INJUNCTION: *None against criminal proceedings.*

A court of equity will not exercise jurisdiction by way of injunction to stay proceedings in any criminal matters, or in any case not strictly of a civil nature.

APPEAL from *Jefferson* Circuit Court in Chancery.

Hon. J. A. WILLIAMS, Circuit Judge.

*N. T. White*, for appellant.

ENGLISH, C. J. William N. Portis was arrested on warrants issued by Benjamin F. Fall, a justice of the peace of Jefferson county, and other magistrates, on charges of violating the law of the state by setting up and exhibiting a gambling device called *keno*, within the limits of Pine Bluff.

In October, 1877, he filed a bill on the chancery side of

the circuit court of Jefferson county, praying an injunction against the prosecutions, and a temporary injunction was granted.

Afterwards a demurrer was sustained to the bill; the injunction dissolved; the bill dismissed for want of equity, and Portis appealed.

A court of equity will not exercise jurisdiction by way of injunction to stay proceedings in any criminal matters, or in any case not strictly of a civil nature. 2 *Story Equity Jurisprudence* (12 *Ed.*), *sec.* 893; *Bispham's Prin. Equity*, *sec.* 424.

Affirmed.

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