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Medical and Surgical Institute vs. City of Hot Springs.

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MEDICAL AND SURGICAL INSTITUTE VS. CITY OF HOT SPRINGS.

1. INJUNCTION:

Chancery does not enjoin criminal prosecutions.

APPEAL from *Garland* Circuit Court in Chancery.

HON. JABEZ M. SMITH, Circuit Judge.

*Benjamin*, for appellant.

*Henderson*, Attorney General, contra.

ENGLISH, C. J. The appellant corporation filed the bill

in this case against the city of Hot Springs, in the circuit court of Garland county, to enjoin said city from prosecuting its agents, etc., under the ordinance (copied in *Thomas v. City of Hot Springs, ante*) to prohibit and punish drumming. The court granted a temporary injunction, and, on final hearing, dissolved it, and appellant obtained from the clerk of this court an appeal.

Chancery does not enjoin criminal prosecutions, as held in *Portis v. Fall et al., MS.*

Affirmed.

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