

Case No. 6,428.
[1 Am. Law Rev. 217.]

HERRON v. RUNKLE.

Circuit Court, W. D. Tennessee.

April 11, 1866.

FREEDMEN'S BUREAU—INJUNCTION AGAINST TRESPASS.

[A court of equity cannot enjoin the commission of a trespass on the part of an officer of the Freedmen's Bureau, in the levying of an execution upon personal property.]

This was a bill praying for injunction to restrain the defendant, who was superintendent of the Freedmen's Bureau, from enforcing, against the personal estate of the plaintiff's testator, a judgment rendered by the defendant against plaintiff's testator, a white citizen, in favor of a freedman.

TRIGG, District Judge, held that the act of March 3, 1865, § 1 [13 Stat. 507], gave the Freedmen's Bureau no jurisdiction to determine such suits, and that the enforcement of the judgment would be a trespass, but that the court could not enjoin against the commission of such trespass, and that the parties must be left to their remedies at law.