that of Courts of law. The remedy afforded in equity was found to be more speedy and efficacious than by action at law, and therefore suits to restrain commissive waste practically superseded actions for waste at law in which only damages were recoverable. But the foundation of the interference by Courts of Equity was the prevention of irreparable damage, and the inadequacy of the remedy at law. Where active waste was committed or threatened the Court of Chancery would by injunction restrain it, and, as an incident to the relief by injunction, would also grant an account of the waste committed, but whether the Court would grant an account of waste committed and decree satisfaction where an injunction was not required or grantable, was a point on which there was formerly a difference of opinion: see Eden on Injunction, p. 207. In *Jesus College* v. *Bloom*, 3 Atk. 264, Lord Hardwicke refused to grant an account for waste because no injunction was prayed (see also *Higginbotham* v. *Hawkins*, L.R. 7 Ch. 676), whereas in *Garth* v. *Colton*, 3 Atk. 751, he granted the relief.

It may be further remarked that in order to give equitable relief in cases of permissive waste by injunction, would involve the granting of a mandatory injunction. It would not be a case for restraining a defendant from doing something, but it would be necessary to restrain him from suffering something to remain undone, e.g., the making of required repairs. Permissive waste may, in many cases, be the result of poverty or inability on the part of the tenant to furnish money to make repairs, and it never has been the course of the Court to enforce what in substance are mere pecuniary demands by injunction, except against persons in a fiduciary position. It must be remembered, too, that the disobedience of injunctions is a contempt of Court, and punishable by attachment, and to grant injunctions to enforce pecuniary demands would be practically an evasion of the law abolishing imprisonment for debt. Permissive waste has therefore never in equity been considered a proper subject for relief by injunction, although in the case of *Coldwall* v. *Baylis*, 2 Mer. 408, an