

JAMES E. JOHNSON, Plaintiff-in-Error, v. JOHN W. POWELL and His Honor MARTIN N. RUSSELL, Circuit Judge, Second Judicial Circuit, Grand Bassa County, Defendants-in-Error.

APPLICATION FOR WRIT OF ERROR TO CIRCUIT COURT OF SECOND JUDICIAL CIRCUIT, GRAND BASSA COUNTY.

Argued December 10, 1934. Decided December 21, 1934.

1. An action of injunction is not a possessory action, nor an action to recover money for damage done, nor to decide title to real property.
2. Its function is to afford preventive relief, and not redress for wrong already committed.
3. The Supreme Court is unable to reweiv the decisions of an inferior court, no matter how erroneous they may appear to be, if the record does not show that an exception has been taken to the decision complained of at the time it was pronounced.
4. An exception is a protest against the ruling of a court upon a question of law, intended as a warning that said point would be submitted to the appellate court for review, so as to give the court an opportunity to reconsider its ruling, and opposing counsel the opportunity of consenting to a reversal thereof.
5. If the parties compromise and settle a judgment, an appeal or writ of error cannot thereafter be taken, and if taken, should be dismissed.

Application for writ of error to Circuit Court of Second Judicial Circuit, Grand Bassa County, to reverse judgment in injunction action and quash writ of execution. *Application denied.*

*James E. Johnson* for plaintiff-in-error. *H. Lafayette Harmon* for defendant-in-error.

MR. JUSTICE DIXON delivered the opinion of the Court.

This is an injunction proceeding instituted in the Circuit Court of the Second Judicial Circuit, Grand Bassa County, by James E. Johnson, petitioner, against John W. Powell, defendant, praying that the court would enjoin and restrain the said John W. Powell, the defendant in an action of injunction, now one of the defendants-in-