

1. Gross v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 111 Md. 543; 75 A. 346; 1909 Md. LEXIS 144, December 3, 1909, Decided

OVERVIEW: Property owners' petition for writ of mandamus to compel city solicitor to re-try case involving railroad's right of way in their action to open street across right of way was denied because solicitor's duties were discretionary and not imperative.

2. Mayor, etc., of Baltimore v. Knell, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 111 Md. 583; 75 A. 638; 1909 Md. LEXIS 147, November 17, 1909, Decided

OVERVIEW: A trial court properly found that owners' properties were not subject to full city tax rate because properties were not legally liable for such rate when taxing statute went into effect. Pavement of alleys did not allow for imposition of full rate.

3. Wannewetsch v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 111 Md. 32; 73 A. 701; 1909 Md. LEXIS 109, June 30, 1909, Decided

OVERVIEW: Demurrer to property owner's bill seeking to enjoin assessments for costs of paving street was properly sustained. Although notices were insufficient because not published in two English language newspapers, he could have appealed under ordinance.

4. Thillman v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 111 Md. 131; 73 A. 722; 1909 Md. LEXIS 111, June 30, 1909, Decided

OVERVIEW: The fact that a city hired an independent contractor to do its paving work did not relieve it from liability for injury to a landowner's property caused by a negligently-performed job because the city had a duty to repave the streets properly.

5. Bond v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 111 Md. 364; 74 A. 14; 1909 Md. LEXIS 126, June 30, 1909, Decided, October 7, 1909, Opinion filed

OVERVIEW: Ordinance authorizing city officers to sell corporate stock to finance improvements was valid because city's charter did not require that ordinance introduced in one legislative year become inoperative in second year where council members were same.

6. United R. & E. Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 111 Md. 264; 73 A. 633; 1909 Md. LEXIS 97, June 29, 1909, Decided

OVERVIEW: Railroad company's easements were improperly taxed under same statute which its franchises were taxed; statute did not provide for separate taxation of franchises and easements and tax court could not require such taxation without legislative action.

7. Patapsco Electric Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 110 Md. 306; 72 A. 1039; 1909 Md. LEXIS 60, March 24, 1909, Decided

OVERVIEW: An electrical utility which was a foreign corporation was not entitled to place its equipment on city property without receiving an express grant of right or franchise to carry on its business from the State of Maryland and the city.

8. Lauer v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 110 Md. 447; 73 A. 162; 1909 Md. LEXIS 74, March 24, 1909, Decided

OVERVIEW: Motion to quash proceedings imposing benefits assessment on an owner's property was properly overruled because mayor and city council were empowered by act to grant street commissioners powers as was deemed necessary, including assessment power.

9. Phillips v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 110 Md. 431; 72 A. 902; 1909 Md. LEXIS 56, March 23, 1909, Decided

OVERVIEW: A mayor and a city council were properly granted a judgment of non prosequitor in an action to abate a nuisance. A Maryland city, as a municipal corporation, could not be sued elsewhere than in one of its own courts in a transitory action.

10. COULSTON v. THE MAYOR, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 109 Md. 271; 71 A. 990; 1909 Md. LEXIS 11, January 13, 1909, Decided

OVERVIEW: In a case involving annexation of taxpayers' property, taxpayers were required to pay the full rate on their property even though a road that ran in front of their property was privately owned because the law did not require the road to be public.

11. William Martien & Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 109 Md. 260; 71 A. 966; 1909 Md. LEXIS 7, January 12, 1909, Decided

OVERVIEW: Mayor was entitled judgment against real estate brokers because brokers' in their declaration claimed commissions only on the property purchased and did not make claim to any other commissions. Therefore, evidence was not admissible.

12. Mayor, etc., of Baltimore v. Garrett, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 108 Md. 24; 69 A. 429; 1908 Md. LEXIS 62, April 1, 1908, Decided

OVERVIEW: The buyers, the mayor and city council, could not avoid specific performance of a contract to purchase property due to alleged failure to provide clear title where a deed provision was not a restrictive covenant but rather a conditional covenant.

13. Mayor, etc., of Baltimore v. United R. & E. Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 108 Md. 64; 69 A. 436; 1908 Md. LEXIS 64, April 1, 1908, Decided

OVERVIEW: An order that a purchaser was required to show cause why it should not accept the deed and deposit the purchase money was proper because a trust company was validly authorized and empowered to release the property at issue.

14. Baltimore v. United R. & E. Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 107 Md. 250; 68 A. 557; 1908 Md. LEXIS 13, January 8, 1908, Decided

OVERVIEW: A city park tax on a railway was not due for rail lines running on a railway's private property was due for rail lines running on streets that originally belonged to the county but had been annexed to the city.

15. Baltimore v. Gail, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 106 Md. 684; 68 A. 282; 1907 Md. LEXIS 113, December 4, 1907, Decided

OVERVIEW: A city was entitled to increase the property tax to the full city rate on an improved lot located on annexed land where the property was in an urban area and no longer qualified as landed property within the meaning of the relevant statute.

16. Baltimore v. Schafer, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 107 Md. 38; 68 A. 138; 1907 Md. LEXIS 120, November 21, 1907, Decided

OVERVIEW: A property owner's land was properly assessed at a 60 cent rate, as provided by statute, because his property was still landed property and not urban property, as the streets were not graded and kerbed although he had water and lights.

17. Isaac Hamburger & Sons v. Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 106 Md. 479; 68 A. 23; 1907 Md. LEXIS 105, November 15, 1907, Decided

OVERVIEW: Property owners' appeal from a decision upholding an assessment for improvements had to be dismissed because the court was not authorized to review fact findings, and the order appealed from did not specifically pass on a legal question.

18. Western M. T. R. Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 106 Md. 561; 68 A. 6; 1907 Md. LEXIS 101, November 13, 1907, Decided

OVERVIEW: Piers the landowner built on land within the city that extended over a river onto land outside the city boundary could be taxed as a whole because without the right to use the land that was in the city, the piers would be useless.

19. Bennett v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND,

106 Md. 484; 68 A. 14; 1907 Md. LEXIS 103, November 13, 1907, Decided

OVERVIEW: It was error to dismiss bill by taxpayers and property owners to enjoin city from performing paving contract. City failed to comply with charter that required advertisements for bids over \$500 to be published in English in two English newspapers.

20. Mayor, etc., of Baltimore v. Minister & Trustees of Starr Methodist Protestant Church, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 106 Md. 281; 67 A. 261; 1907 Md. LEXIS 91, June 26, 1907, Decided

OVERVIEW: A law, which specifically exempted a church's wharf property from state taxes, was void for violation of the state constitution because it was discrimination in taxation and violated the prohibition against "special laws."

21. Canton Co. v. Mayor of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 106 Md. 69; 66 A. 679; 1907 Md. LEXIS 68, April 4, 1907, Decided

OVERVIEW: Because the company repudiated the rights of the public to use the square as a park, fenced it in, paid taxes on the square, and openly asserted ownership, the company's possession became adverse and the city had no easement.

22. Consolidated Gas Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 105 Md. 43; 65 A. 628; 1907 Md. LEXIS 3, February 13, 1907, Decided

OVERVIEW: Where a gas company was assessed taxes on its pipes and mains based in part upon the capitalization of the interest paid on its bond indebtedness and share dividends, the assessment was improper because securities were taxable only to their owners.

23. THE MAYOR v. STATE, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 105 Md. 1; 65 A. 369; 1906 Md. LEXIS 218, December 21, 1906, Decided

OVERVIEW: A city's duty to retain the amount of the tax from the interest due on the stock and pay it over to the State did not arise solely or chiefly from its agreement with the stockholder because a Maryland statute required the city to do so.

24. Mayor, etc., of Baltimore v. Bond, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 104 Md. 590; 65 A. 318; 1906 Md. LEXIS 195, December 20, 1906, Decided

OVERVIEW: Injunction was properly granted to enjoin city council from submitting to voters an ordinance authorizing issue of city stock because charter did not authorize issuance of city stock, for water supply, in amount additional to outstanding water loans.

25. Canton Co. of Baltimore v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 104 Md. 582; 65 A. 324; 1906 Md. LEXIS 197, December 19, 1906, Decided

OVERVIEW: A corporation was not entitled to an injunction to prevent a city from claiming its property as a part of a street where the corporation failed to show that the use of the street by the public was not inconsistent with its private ownership.

26. Mayor, etc., of Baltimore v. Baltimore & P. S. B. Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 104 Md. 485; 65 A. 353; 1906 Md. LEXIS 205, December 19, 1906, Decided

OVERVIEW: In the condemnation of the wharves of a Maryland City and a steamboat company, the parties leases did not estop them from asserting the rights in the waters of the basin that were condemned as a result of the widening of a street.

27. Mayor, etc., of Baltimore v. Meredith's Ford & Jarrettsville Turnpike Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 104 Md. 351; 65 A. 35; 1906 Md. LEXIS 185, November 15, 1906, Decided

OVERVIEW: A turnpike company did not have to bring an action against a municipal corporation in a city court because statutory law provided that an action for trespass on real property should be brought where the property was located.

28. Mayor, etc., of Baltimore v. Flack, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 104 Md. 107; 64 A. 702; 1906 Md. LEXIS 164, August 9, 1906, Decided, October 4, 1906, Opinion Filed

OVERVIEW: A city could award a contract for the construction of pavement to the lowest responsible bidder upon a certain kind of pavement even though a bid was filed on another material which was lower than the lowest responsible bid on the selected material.

29. Mayor, etc., of Baltimore v. Gahan, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 104 Md. 145; 64 A. 716; 1906 Md. LEXIS 165, August 9, 1906, Decided, October 4, 1906, Opinion Filed

OVERVIEW: Bruce-Fendall ordinance that permitted a city to select a paving bid without requiring the mayor and city council to act in their legislative capacity was not void because the ordinance limited the bidders to three pre-selected materials.

30. Hiss v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 103 Md. 620; 64 A. 52; 1906 Md. LEXIS 146, June 15, 1906, Decided

OVERVIEW: A property owner was liable for municipal taxes at a rate in excess of 60 cents per \$100 of the assessed value thereof because his property was not "landed property," inasmuch as there were various buildings and improvements near the property.

31. Whitridge v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 103 Md. 412; 63 A. 808; 1906 Md. LEXIS 128, April 20, 1906, Decided

OVERVIEW: In determining the location of the division line between two tracts, the description in the deed "thence running along the centre of a wagon road to be twenty feet wide," and not the description given by courses and distances, was to control.

32. Mayor, etc., of Baltimore v. Chester River S. B. Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 103 Md. 400; 63 A. 810; 1906 Md. LEXIS 129, April 20, 1906, Decided

OVERVIEW: Although a corporation's stock was properly taxable in the city of Baltimore, Maryland, the city's Mayor and Council prematurely brought suit to collect the taxes because the taxes had to be due before payment could be enforced.

33. William S. Wilkens Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 103 Md. 293; 63 A. 562; 1906 Md. LEXIS 122, March 28, 1906, Decided

OVERVIEW: A taxpayer, a foreign corporation, was properly assessed tax on its personal property in Maryland because the state was entitled to collect tax and there was no double taxation resulting from the taxpayer's Maryland shareholders' payment of tax.

34. North Ave. Land Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 102 Md. 475; 63 A. 115; 1906 Md. LEXIS 28, January 9, 1906, Decided

OVERVIEW: It was proper to have rendered judgment in favor of a mayor and a city counsel where they were not required to wait out protracted litigation that a land company was involved in, with other parties, and could go elsewhere to secure necessary land.

35. Vickers v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 102 Md. 487; 63 A. 120; 1906 Md. LEXIS 29, January 9, 1906, Decided

36. Mayor, etc. of Baltimore v. Rosenthal, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 102 Md. 298; 62 A. 579; 1905 Md. LEXIS 152, December 6, 1905, Decided

OVERVIEW: A city could impose its full city rate of taxation upon a landowner because an alley forming the landowner's block was sufficiently improved within the meaning of the law to meet the requirements for the imposition of tax at the city rate.

37. Mayor, etc. of Baltimore v. Latrobe, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 101 Md. 621; 61 A. 203; 1905 Md. LEXIS 83, June 22, 1905, Decided

OVERVIEW: After a portion of the lot leased by the lessee was condemned, the lessee was entitled to recover for the loss of the condemned property as well as the decreased value of the remaining property.

38. Storck v. Mayor, etc. of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 101

Md. 476; 61 A. 330; 1905 Md. LEXIS 101, June 22, 1905, Decided

OVERVIEW: In property owner's action for injunction to restrain city from interfering with construction of steps on houses he was building, act that gave city power to regulate steps was void because it was uncertain and contained unreasonable classification.

39. Consolidated Gas Co. v. Mayor, etc. of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 101 Md. 541; 61 A. 532; 1905 Md. LEXIS 109, June 22, 1905, Decided

OVERVIEW: A tax assessment against a gas company that included the value of its easement in city highways in which its pipes and equipment were located was erroneous because the valuation method used by the appeal tax court was arbitrary and flawed.

40. Nicolai v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 100 Md. 579; 60 A. 627; 1905 Md. LEXIS 53, March 22, 1905, Decided

OVERVIEW: Common pleas court properly directed verdict for mayor and city council in claimant's ejectment action to recover bridge and masonry at certain lane as conveyance by trustees after sale to enforce mechanics' lien did not convey land under abutments.

41. National Bldg. Supply Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 100 Md. 188; 59 A. 726; 1905 Md. LEXIS 16, January 12, 1905, Decided

OVERVIEW: That the price of cement had increased was insufficient to entitle a supplier to rescind a contract whereby it had agreed to furnish all of the cement that was needed by a city for one year where the contract was otherwise fair and reasonable.

42. Mayor, etc., of Baltimore v. Consolidated Gas Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 99 Md. 540; 58 A. 216; 1904 Md. LEXIS 87, June 8, 1904, Decided

OVERVIEW: Where a city statute authorized an inspection fee only for new gas meters, a city was not authorized to recover for the respondent-inspection and respondent-stamping of discontinued or old meters that were covered by another section of the code.

43. Callaway v. Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 99 Md. 315; 57 A. 661; 1904 Md. LEXIS 66, April 12, 1904, Decided

OVERVIEW: Vendors were not entitled to injunction restraining a city and its officials from enforcing an ordinance repealing another one that appropriated funds to buy vendors' land because vendors did not have marketable title at time of contract with city.

44. Mayor, etc., of Baltimore v. Allegany County Comm'rs, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 99 Md. 1; 57 A. 632; 1904 Md. LEXIS 62, March 23, 1904, Decided

45. Mayor, etc., of Baltimore v. Walker, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 98 Md. 637; 57 A. 4; 1904 Md. LEXIS 29, February 19, 1904, Decided

OVERVIEW: A city was properly found liable in damages to a pedestrian who tripped over a city water-cock obstructing the street. The duty of maintaining safe conditions over a public street rested with the city.

46. Baltimore & O. R. Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 98 Md. 535; 56 A. 790; 1904 Md. LEXIS 5, January 15, 1904, Decided

OVERVIEW: Before its property was taken for new use, railroad was entitled to damages for cost of maintaining planking used to level tracks at area where proposed road was to cross them and could decide when and how repairs should be made.

47. Mayor, etc., of Baltimore v. Safe Deposit & Trust Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 97 Md. 659; 55 A. 316; 1903 Md. LEXIS 148, July 1, 1903, Decided

OVERVIEW: In trustee's suit to correct tax assessment, order against city and mayor was proper because legislature did not exceed its power in providing that property held in trust be treated as belonging to its substantial owner, not to its technical holder.

48. Knight v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 97 Md. 647; 55 A. 388; 1903 Md. LEXIS 158, July 1, 1903, Decided

OVERVIEW: A driver was not entitled to recover for injuries, even though defendants were guilty of gross negligence in failing to maintain a street, where the driver failed to keep watch for a large and obvious hole on a street he knew was in bad condition.

49. Joesting v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 97 Md. 589; 55 A. 456; 1903 Md. LEXIS 168, July 1, 1903, Decided

OVERVIEW: Legislation that limited amount of municipal tax that could be levied against newly annexed properties did not constitute a contract; equity could intervene to restrain city from violating act and levying full amount of tax against such properties.

50. Baltimore Shipbuilding & Dry Dock Co. v. Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 97 Md. 97; 54 A. 623; 1903 Md. LEXIS 123, April 2, 1903, Decided

OVERVIEW: In a taxpayer's action challenging a state tax assessment on real property conveyed by the United States with specific conditions of use, the tax was properly assessed because the United States' interest in the property did not render it exempt.

51. THE MAYOR v. JOHNSON, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 96 Md. 737; 54 A. 646; 1903 Md. LEXIS 118, April 1, 1903, Decided

OVERVIEW: A mayor and a city council were not entitled to relief from the vacation and annulment of a tax assessment made against a taxpayer's stock exchange seat because although the seat was property, there was no legislative intention to tax such property.

52. Mayor, etc., of Baltimore v. Robert Poole & Son Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 97 Md. 67; 54 A. 681; 1903 Md. LEXIS 132, April 1, 1903, Decided

OVERVIEW: In suit for injunctive relief, decree overruling mayor, city council, and collectors' demurrer was proper because where tax court had reason to believe that annexed property warranted imposition of tax, taxpayer had to be given reasonable notice.

53. Mayor, etc., of Baltimore v. Schaub Bros., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 96 Md. 534; 54 A. 106; 1903 Md. LEXIS 98, February 11, 1903, Decided, February 11, 1903, Filed

OVERVIEW: A seller had a right to put an end to a contract because it called for monthly payments, the monthly payments were meant and understood by the parties to be of the essence of the contract, and the buyer failed to fulfill this stipulation.

54. Davidson v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 96 Md. 509; 53 A. 1121; 1903 Md. LEXIS 94, January 23, 1903, Decided

OVERVIEW: Complainants, suing as taxpayers lacked standing to enjoin a city from using certain property as a colored high school where they failed to allege any special injury to themselves or a special interest distinct from the general public.

55. Corry v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 96 Md. 310; 53 A. 942; 1903 Md. LEXIS 76, January 16, 1903, Decided

OVERVIEW: The shares of stock held and owned by a non-resident in a Maryland corporation were liable to State and municipal taxation under Maryland law, and the tax did not violate either the State or Federal Constitutions.

56. GARDINER v. MAYOR & CITY COUNCIL OF BALTIMORE, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 96 Md. 361; 54 A. 85; 1903 Md. LEXIS 81, January 15, 1903, Decided

OVERVIEW: A homeowner was not entitled to relief from a decree awarding him compensation for the value of property taken by the city in part because the property had already been validly condemned.

57. Mayor, etc., of Baltimore v. Beck, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 96 Md. 183; 53 A. 976; 1903 Md. LEXIS 62, January 14, 1903, Decided

OVERVIEW: An injured party, whose carriage collided with an obstruction in a street, was entitled to recover from a city because it was the city's plain duty to keep the street lighted and in a safe condition for public travel on the night of the collision.

58. Mayor, etc., of Baltimore v. Jenkins, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 96 Md. 192; 53 A. 930; 1903 Md. LEXIS 63, January 14, 1903, Decided

OVERVIEW: Appeal tax court's assessment on taxpayer's property for fiscal year was erroneous where property, which was owned by church on October 1, was exempt from taxation and was not sold to taxpayer until after October 1, the statutory assessment deadline.

59. William Skinner & Sons Shipbuilding & Dry Dock Co. v. Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 96 Md. 32; 53 A. 416; 1902 Md. LEXIS 135, November 21, 1902, Decided

OVERVIEW: A city could add a company's dry dock improvement to the city's tax books, although the dock was not completed by the date of assessment, because the dock was so nearly complete as of that date and deducted in the taxation of the company's stock.

60. Mayor, etc., of Baltimore v. Baltimore County Water & Electric Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 95 Md. 232; 52 A. 670; 1902 Md. LEXIS 183, June 18, 1902, Decided

OVERVIEW: Various city officials were enjoined from preventing a water and electric company from laying water mains and pipes, because the company's charter rights to lay pipes in the territory embraced in the grant were not repealed by subsequent statutes.

61. Gittings v. Mayor of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 95 Md. 419; 52 A. 937; 1902 Md. LEXIS 192, June 18, 1902, Decided

OVERVIEW: Circuit court could not enjoin collection of taxes assessed against a taxpayer's land when a city court had exclusive jurisdiction over assessment reviews. Taxpayer could amend his bill to plea that city failed to give required notice of assessment.

62. Upshur v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 94 Md. 743; 51 A. 953; 1902 Md. LEXIS 51, April 1, 1902, Decided

OVERVIEW: A mandamus that ordered the State police (Maryland) to detail officers to a city's park commissioners, was improperly granted because the statute that allegedly authorized the detail conflicted with other equally important and obligatory laws.

63. Mayor, etc., of Baltimore v. Austin, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 95 Md. 90; 51 A. 824; 1902 Md. LEXIS 150, April 1, 1902, Decided

OVERVIEW: In an appeal by a city council and a mayor as to a trial court vacating its property tax assessment against members of a stock exchange, the appellate court was unable to review the matter, because the record failed to state any of the evidence.

64. United R. & E. Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 93 Md. 630; 49 A. 655; 1901 Md. LEXIS 62, June 14, 1901, Decided

OVERVIEW: In an action for refund of property tax, a city taxed the roads and easements of a railway in an area annexed by the city at a rate that was higher than permitted by the city charter, so the city was ordered to refund the amount overpaid.

65. Baltimore B. R. Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 93 Md. 638; 49 A. 1134; 1901 Md. LEXIS 63, June 14, 1901, Decided

66. Mayor of Baltimore v. Peat, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 93 Md. 696; 50 A. 152; 1901 Md. LEXIS 71, June 14, 1901, Decided, October 18, 1901, Opinion Filed, Dissent reported at 50 A. 698

OVERVIEW: A deed from a trustee to a purchaser at a judicial sale although made after rent sued for fell due operated by relation to divest out of the assignee of the lessee the legal title to the leasehold estate as of the date of the trustee's sale.

67. Sindall v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 93

Md. 526; 49 A. 645; 1901 Md. LEXIS 55, June 12, 1901, Decided

OVERVIEW: Statute that allowed imposition of real estate tax at municipal rate from and after a particular year allowed tax to be imposed beginning year following that named. Acceptance of streets was not required for imposition of tax at municipal rate.

68. Cahill v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 93 Md. 233; 48 A. 705; 1901 Md. LEXIS 25, March 14, 1901, Decided

OVERVIEW: A city was liable for damages to a railway partner's property caused by it when, during the construction of a drain, it collected mud, sand, and dirt and deposited it near the railway's ways such that they became unusable.

69. Robinson v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 93 Md. 208; 49 A. 4; 1901 Md. LEXIS 21, March 8, 1901, Decided

OVERVIEW: Demurrer was properly sustained to tax assessor's suit against city to recover his salary. Mayor and city council had power to abolish office held by assessor, and ordinance under which assessor had been appointed was repealed by later ordinance.

70. Mayor, etc., of Baltimore v. Gorter, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 93 Md. 1; 48 A. 445; 1901 Md. LEXIS 1, February 21, 1901, Decided

OVERVIEW: In dispute over public improvement project, Board of Estimates (Maryland) had authority to fix items of expenditure for new pavements, and city council did not have right to amend draft of proposed ordinance or adopt tax rate without Board's input.

71. Baltimore v. Chesapeake & P. Tel. Co., [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 92 Md. 692; 48 A. 465; 1901 Md. LEXIS 128, February 20, 1901, Decided

OVERVIEW: City officials were improperly restrained from preventing construction of wire conduits in telephone companies' action for such relief because the telephone companies had not performed their contractual obligations to remove overhead wire poles.

72. Mayor, etc., of Baltimore v. Stewart, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 92 Md. 535; 48 A. 165; 1901 Md. LEXIS 118, January 23, 1901, Decided

OVERVIEW: Where a title to ordinance only mentioned asphalt, this did not mean that when ordinance was passed it would confine paving material strictly and exclusively to asphalt. Notice was given to interested parties to come and learn more about ordinance.

73. Mayor, etc., of Baltimore v. Lyman, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 92 Md. 591; 48 A. 145; 1900 Md. LEXIS 19, October 12, 1900, Decided, February 8, 1901, Opinion Filed

OVERVIEW: A person appointed superintendent of public schools was eligible to the office even though he was not a registered voter; a superintendent was not a city official under the terms of the city charter requiring such officials to be registered voters.

74. Ellinger v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 90 Md. 696; 45 A. 884; 1900 Md. LEXIS 114, February 15, 1900, Decided

OVERVIEW: Where there was an amendment and change of pleadings, the ruling of the trial court sustaining a demurrer to the amended original declaration was not before the court on appeal due to the failure to include in the record those pleadings.

75. Chesapeake & P. Tel. Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 90 Md. 638; 45 A. 446; 1900 Md. LEXIS 100, February 14, 1900, Decided

OVERVIEW: Where a telephone company complied with a city's ordinance that authorized it to construct underground conduits, it had a valid contract with the city so that a court could enjoin the city from interfering with the company's construction plans.

76. Monticello Distilling Co. v. Mayor, etc., of Baltimore, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 90 Md. 416; 45 A. 210; 1900 Md. LEXIS 99, January 10, 1900, Decided

OVERVIEW: Assessment of taxes, upon distilled spirits in taxpayer's possession, could not be recovered in action by a city where act, providing for assessment, was defective in failing to make provision for hearing or opportunity to be heard on valuation.

77. Mayor, etc., of Baltimore v. Lobe, [NO NUMBER IN ORIGINAL], COURT OF APPEALS OF MARYLAND, 90 Md. 310; 45 A. 192; 1900 Md. LEXIS 93, January 9, 1900, Decided

OVERVIEW: In a negligence action to recover damages for personal injuries, statements of an eyewitness were properly excluded from the testimony of a police officer where the statements were not a part of the res gestae of the accident.