

1. *Baltimore v. Gibbs*, SUPREME COURT OF THE UNITED STATES, 293 U.S. 559; 55 S. Ct. 71; 79 L. Ed. 660; 1934 U.S. LEXIS 166, October 8, 1934.

... No. 52. **MAYOR AND CITY COUNCIL OF BALTIMORE v. GIBBS**.

2. *Jack Lewis, Inc. v. Baltimore*, SUPREME COURT OF THE UNITED STATES, 290 U.S. 585; 54 S. Ct. 56; 78 L. Ed. 517; 1933 U.S. LEXIS 471, September 9, 1933, Jurisdictional statement submitted, October 9, 1933, Decided
LEWIS, INC. v. **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL**.

3. *Williams v. Baltimore*, No. 513, SUPREME COURT OF THE UNITED STATES, 289 U.S. 36; 53 S. Ct. 431; 77 L. Ed. 1015; 1933 U.S. LEXIS 1002, February 13, 1933, Argued, March 13, 1933, Decided

OVERVIEW: A tax exemption for railway property of a specific railroad was valid. Two municipal corporations were not entitled to payment of their claims for overdue taxes.

... WILLIAMS, RECEIVER OF THE WASHINGTON, **BALTIMORE & ANNAPOLIS RAILROAD CO.**, v. **MAYOR AND CITY COUNCIL OF BALTIMORE** ** Together with No. 514, *Williams, Receiver, v. Mayor*, Counselor and Aldermen of Annapolis.

4. *Baltimore v. Williams*, No. 3347; No. 3351, Circuit Court of Appeals, Fourth Circuit, 61 F.2d 374; 1932 U.S. App. LEXIS 4268, October 3, 1932

OVERVIEW: The cities' claims for taxes assessed on the railway company's property and for amounts due under ordinances for use of their streets were not precluded by a state statute that violated equal protection in exempting the company's property.

... **MAYOR AND CITY COUNCIL OF BALTIMORE v. WILLIAMS; MAYOR, COUNSELOR & ALDERMEN OF CITY OF** ...

5. *First Nat'l Bank v. Baltimore*, No. 27, District Court, D. Maryland, 27 F. Supp. 444; 1939 U.S. Dist. LEXIS 2932, April 25, 1939

OVERVIEW: Certificates of "stock" assigned to bank by a third-party without knowledge of the company or issuer were not negotiable instruments, and the certificates did not contain sufficient indicia of ownership to transfer good title to bank.

BINGHAMTON, N.Y., v. **MAYOR AND CITY COUNCIL OF BALTIMORE**

6. *J. A. La Porte Corp. v. Baltimore*, No. 5421, District Court, D. Maryland, 13 F. Supp. 795; 1936 U.S. Dist. LEXIS 1531, February 12, 1936

OVERVIEW: Where the city and the contractor included two inconsistent provisions in a contract, the court was obligated to give the contract the fairest interpretation possible without rewriting the contract, which the court was not empowered to do.

PORTE CORPORATION v. **MAYOR AND CITY COUNCIL OF BALTIMORE**

7. *Schroeder Holding Co. v. Baltimore*, No. 20, October Term, 1939, Court of Appeals of Maryland, 177 Md. 186; 9 A.2d 220; 1939 Md. LEXIS 242, November 28, 1939, Decided

OVERVIEW: A businessman should have been required to reapply for a permit to install gasoline pumps because he amended his application after it was approved to add another gas station next to an existing gas station, which may have been a fire hazard.

HOLDING COMPANY v. **MAYOR AND CITY COUNCIL OF BALTIMORE** et al.

8. *Geisendaffer v. Baltimore*, No. 38, January Term, 1939, Court of Appeals of Maryland, 176 Md. 150; 3 A.2d 860; 1939 Md. LEXIS 165, February 1, 1939, Decided

OVERVIEW: A City may temporarily, borrow any amount of money to meet any deficiency in its treasury, and may borrow any amount at any time to provide for any emergency, thus, the issuance of the certificates of indebtedness without a popular vote was proper.

T. GEISENDAFFER v. **MAYOR AND CITY COUNCIL OF BALTIMORE**, et al.

9. *Baltimore v. Brack*, No. 70, October Term, 1938, Court of Appeals of Maryland, 175 Md. 615; 3 A.2d 471; 1939 Md. LEXIS 146; 120 A.L.R. 543, January 11, 1939, Decided

OVERVIEW: In a property owner's trespass action against a city, the city's unrecorded, oral license from the land's prior owners to construct utilities gave it only a revocable license. The city had to remove the utilities or acquire them through condemnation.

... **MAYOR AND CITY COUNCIL OF BALTIMORE v. WILLIAM F. ...**

10. Home Owners' Loan Corp. v. Baltimore, No. 86, October Term, 1938, Court of Appeals of Maryland, 175 Md. 676; 3 A.2d 747; 1939 Md. LEXIS 152, January 11, 1939, Decided

OVERVIEW: When the property owner tendered payment of all charges accrued since it took title, water service should have been restored. The property owner was under no obligation to pay former owner's personal debt for services accrued before he took title.

LOAN CORPORATION v. MAYOR AND CITY COUNCIL OF BALTIMORE et al.

11. Baltimore v. Baltimore Trust Corp., No. 50, October Term, 1938, Court of Appeals of Maryland, 175 Md. 457; 2 A.2d 441; 1938 Md. LEXIS 220, November 16, 1938, Decided

OVERVIEW: City could not have claimed setoff as to fund from sale of bonds given by trust company because city's debt arose after passage of Maryland's Emergency Banking Act, which prohibited setoff based on credit or deposits from before passage of Act.

... **MAYOR AND CITY COUNCIL OF BALTIMORE et al. v. BALTIMORE TRUST CORPORATION**

12. Baltimore v. Peabody Institute of Baltimore, No. 59, April Term, 1938, Court of Appeals of Maryland, 175 Md. 186; 200 A. 375; 1938 Md. LEXIS 194, June 29, 1938, Decided

OVERVIEW: Trial court properly ruled that city was not allowed to sell property devised to it in alternative manner from that set forth in will, as gift was conditioned upon city selling property and applying proceeds towards purchase and maintenance of park.

... **MAYOR AND CITY COUNCIL OF BALTIMORE v. PEABODY INSTITUTE OF BALTIMORE**

13. Chambers v. Baltimore, No. 63, April Term, 1938, Court of Appeals of Maryland, 175 Md. 203; 200 A. 382; 1938 Md. LEXIS 196, June 29, 1938, Decided

OVERVIEW: Directed verdict for city in administrator's action based on a pedestrian's death was affirmed because there was insufficient evidence that a hole in a private road in which the pedestrian fell was caused by city trucks that were repairing an alley.

CHAMBERS, Administratrix, v. MAYOR AND CITY COUNCIL OF BALTIMORE

14. Baltimore v. Schwind, No. 42, April Term, 1938, Court of Appeals of Maryland, 175 Md. 60; 199 A. 853; 1938 Md. LEXIS 181, June 14, 1938, Decided

OVERVIEW: A janitress, as a workman, should have received compensation from a municipality as her employer, when she suffered a stroke after she moved a ladder as it was an accidental injury, which had arisen out of and in the course of her employment.

... **MAYOR AND CITY COUNCIL OF BALTIMORE v. KATE SCHWIND**

15. Baltimore v. Link, No. 28, January Term, 1938, Court of Appeals of Maryland, 174 Md. 111; 197 A. 801; 1938 Md. LEXIS 254, March 10, 1938, Decided

OVERVIEW: It was error to allow a fee in favor of an attorney out of a decedent's estate for services he rendered to the administrator. His services were not rendered in connection with the preservation of the estate or protecting it from spoliation.

... **MAYOR AND CITY COUNCIL OF BALTIMORE v. FERDINAND C. ...**

16. Birkhead v. Baltimore, No. 19, January Term, 1938, Court of Appeals of Maryland, 174 Md. 32; 197 A. 615; 1938 Md. LEXIS 244, March 8, 1938, Decided

OVERVIEW: A city was not negligent due to the presence and location of a line of rocks along a roadside, but outside the limits of the highway, because the rocks did not present a reasonable likelihood of danger to a careful and prudent user of the highway.

... **IRMA BIRCKHEAD v. MAYOR AND CITY COUNCIL OF BALTIMORE**

17. Cahill v. Baltimore, No. 90, October Term, 1937, Court of Appeals of Maryland, 173 Md. 450; 196 A. 305; 1938 Md. LEXIS 328, January 13, 1938, Decided

OVERVIEW: Permission was properly denied to a landowner to build a wharf out into the navigable water of a harbor because his shoreline was already at the maximum point allowed by statute for building out into the harbor.

S. CAHILL v. MAYOR AND CITY COUNCIL OF BALTIMORE

18. Baltimore v. Grossfeld, No. 39, October Term, 1937, Court of Appeals of Maryland, 173 Md. 197; 195 A. 554; 1937 Md. LEXIS 300, December 10, 1937, Decided

OVERVIEW: An accident victim was not contributorily negligent for walking on a defective public sidewalk, which resulted in her falling, because, while it was rough and uneven, she used such reasonable care as an ordinary prudent person would have exercised.

... MAYOR AND CITY COUNCIL OF BALTIMORE v. EDITH GROSSFELD

19. Baltimore v. State, No. 54, October Term, 1937, Court of Appeals of Maryland, 173 Md. 267; 195 A. 571; 1937 Md. LEXIS 308, December 10, 1937, Decided

OVERVIEW: A municipality was not liable for the drowning of a child in public pool because the maintenance of the swimming pool was a governmental function, therefore, the municipality was not liable for negligence in the performance thereof.

... THE MAYOR AND CITY COUNCIL OF BALTIMORE v. STATE, use of ...

20. Baltimore v. Himmelfarb, No. 36, April Term, 1937, Court of Appeals of Maryland, 172 Md. 628; 192 A. 595; 1937 Md. LEXIS 270, June 16, 1937, Decided

OVERVIEW: Since property owners' land was only indirectly or consequently injured after a city constructed a viaduct, the constitutional right to compensation for loss of value from the city did not extend to them because their land was not actually taken.

... MAYOR AND CITY COUNCIL OF BALTIMORE v. SAMUEL HIMMELFARB ...

21. Norris v. Baltimore, No. 9, October Term, 1937, Court of Appeals of Maryland, 172 Md. 667; 192 A. 531; 1937 Md. LEXIS 274, May 26, 1937, Decided

OVERVIEW: Decree affirming the validity of an ordinance for the issuance of obligations to fund the purchase of voting machines was proper where the mayor and city council were vested with the authority to do so as provided by the Maryland Constitution.

S. NORRIS v. MAYOR AND CITY COUNCIL OF BALTIMORE

22. Jacobs v. Baltimore, No. 15, April Term, 1937, Court of Appeals of Maryland, 172 Md. 350; 191 A. 421; 1937 Md. LEXIS 243, April 9, 1937, Decided

OVERVIEW: Coal brokers were not entitled to reversal of a decree dismissing their bill challenging the constitutionality of a municipal ordinance regulating the selling and transportation of coal because the ordinance was a proper exercise of police power.

et al. v. MAYOR AND CITY COUNCIL OF BALTIMORE et al.

23. Baltimore v. Trunk, No. 6, January Term, 1937, Court of Appeals of Maryland, 172 Md. 35; 190 A. 756; 1937 Md. LEXIS 209, March 17, 1937, Decided

OVERVIEW: A wife of a husband who died from complications of a work injury as a hospital orderly was not entitled to workmen's compensation benefits because the husband, as a municipal employee, was not engaged in extra-hazardous work.

... MAYOR AND CITY COUNCIL OF BALTIMORE v. MARTHA A. ...

24. Baltimore use of Lehigh Structural Steel Co. v. Maryland Casualty Co., No. 3, January Term, 1937, Court of Appeals of Maryland, 171 Md. 667; 190 A. 250; 1937 Md. LEXIS 202; 111 A.L.R. 305, February 17, 1937, Decided

OVERVIEW: Appellee surety company was not responsible to pay claims made by appellant subcontractor, where it was determined that appellee's bonded company was not required to pay all demands for nonpayment of labor.

... MAYOR AND CITY COUNCIL OF BALTIMORE, for use of LEHIGH ...

25. *Baltimore v. Thompson*, No. 64, October Term, 1936, Court of Appeals of Maryland, 171 Md. 460; 189 A. 822; 1937 Md. LEXIS 185, January 19, 1937, Decided

OVERVIEW: A mayor and council were not entitled to reversal of a judgment after a jury trial in favor of an injured passenger of a car that collided with a bridge girder because the city did not meet a duty of reasonable care to protect the traveling public.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. HEDWIG THOMPSON

26. *Baltimore v. Perticone*, No. 40, October Term, 1936, Court of Appeals of Maryland, 171 Md. 268; 188 A. 797; 1937 Md. LEXIS 162, January 13, 1937, Decided

OVERVIEW: In an appeal from a decision disallowing an employee's claim for workmen's compensation, the circuit court committed reversible error in instructing the jury to find that the employee reported his alleged accidental injury within the time prescribed.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. AMIL PERTICONE

27. *Reed v. Baltimore*, No. 19, October Term, 1936, Court of Appeals of Maryland, 171 Md. 115; 188 A. 15; 1936 Md. LEXIS 36, November 19, 1936, Decided

OVERVIEW: Where a city owned and operated a public market for public use it was liable for negligence as a proprietary or private character would be liable for negligence. Also, market and its sidewalks were under control of the city's officers and employees.

... DELLA REED v. **MAYOR AND CITY COUNCIL OF BALTIMORE**

28. *Baltimore v. Ercolano*, Nos. 13, 14, COURT OF APPEALS OF MARYLAND, 170 Md. 341; 184 A. 164; 1936 Md. LEXIS 104, April 9, 1936, Decided

OVERVIEW: Lower court erred in awarding substantial damages to license holders of stalls in a market place in a condemnation proceeding because a license ran from year to year and the damages awarded should have been limited to damages incurred in that term.

... **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL.** v. ELIZABETH ERCOLANO **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL.** v. ...

29. *Baltimore v. Linthicum*, No. 49, COURT OF APPEALS OF MARYLAND, 170 Md. 245; 183 A. 531; 1936 Md. LEXIS 94, February 20, 1936, Decided

OVERVIEW: A decision against owner by the lower court an earlier application for a use permit precluded any further actions on the same subject under the doctrine of res judicata although the law at the time did not allow an appeal from the earlier decision.

... **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL.** v. ...

30. *Lynch v. Baltimore*, No. 86, COURT OF APPEALS OF MARYLAND, 169 Md. 623; 182 A. 582; 1936 Md. LEXIS 65, January 16, 1936, Decided

OVERVIEW: A judgment for a city's mayor and council in a pedestrian's action in negligence was proper when the latter failed to show that a street where he was injured was in the same condition at the time it was repaired as it was when his accident occurred.

S. LYNCH v. **MAYOR AND CITY COUNCIL OF BALTIMORE**

31. *Baltimore v. State*, No. 4, COURT OF APPEALS OF MARYLAND, 168 Md. 619; 179 A. 169; 1935 Md. LEXIS 186; 99 A.L.R. 680, May 21, 1935, Decided

OVERVIEW: A city's mayor and council were not liable in a negligence suit for a child's drowning death when the maintenance of the public park in which the child drowned was the exercise of a governmental function and not a ministerial or private function.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. STATE, USE OF ...

32. *MAYOR & CITY COUNCIL OF BALTIMORE v. HANOVER SHIRT CO.*, No. 86, COURT OF APPEALS OF MARYLAND, 168 Md. 174; 177 A. 160; 1935 Md. LEXIS 142, February 6, 1935, Decided

OVERVIEW: Though shirtmaker did not perform every process in city required to convert cotton into garment ready for

wear, it was no less entitled to tax exemption accorded other manufacturers as city ordinance did not require all processes to occur in city.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. HANOVER SHIRT ...

33. Labanowski v. Baltimore, No. 84, COURT OF APPEALS OF MARYLAND, 168 Md. 127; 176 A. 615; 1935 Md. LEXIS 137, January 16, 1935, Decided

OVERVIEW: Judgment sustaining demurrer of city in brother's action to recover estate of his deceased sister was improper because payment of estate to the city was conditioned on the discovery of qualified claimant that proved his relationship to the decedent.

ADACYT LABANOWSKI v. **MAYOR AND CITY COUNCIL OF BALTIMORE** ET AL.

34. Baltimore v. Household Finance Corp., No. 59, COURT OF APPEALS OF MARYLAND, 168 Md. 13; 176 A. 480; 1935 Md. LEXIS 123, January 15, 1935, Decided

OVERVIEW: A judgment for a taxpayer that paid taxes under a mistake of law more than three years before it filed an action of implied assumpsit to recover the taxes was set aside because the action was barred by the three year statute of limitations.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. HOUSEHOLD FINANCE ...

35. Denhard v. Baltimore, No. 9, COURT OF APPEALS OF MARYLAND, 167 Md. 416; 173 A. 267; 1934 Md. LEXIS 122, June 14, 1934, Decided

OVERVIEW: A city ordinance enacted pursuant to enabling state legislation, which reorganized the system for the assessment of property in a home rule city for state and municipal taxation purposes was not unconstitutional because it was not a city function.

A. DENHARD v. **MAYOR AND CITY COUNCIL OF BALTIMORE**, ET AL.

36. Baltimore v. Eagers, No. 24, COURT OF APPEALS OF MARYLAND, 167 Md. 128; 173 A. 56; 1934 Md. LEXIS 92, June 12, 1934, Decided

OVERVIEW: When a person was injured by a falling tree limb while walking near a park where the city was performing tree removal work without posted warnings, the city was not engaged in an immune governmental function and was liable for the injuries.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. AUGUST W. ...

37. Montebello Land Co. v. Frank Novak Realty Co., Nos. 42, 43, COURT OF APPEALS OF MARYLAND, 167 Md. 185; 172 A. 911; 1934 Md. LEXIS 98, June 12, 1934, Decided

OVERVIEW: An ordinance modifying a zoning classification was not required to be passed by a three-fourths vote, despite a realty company's protest thereof, because the company was not included in the statute's classes of owners entitled to make a protest.

NOVAK REALTY COMPANY **MAYOR AND CITY COUNCIL OF BALTIMORE** CITY v. FRANK ...

38. Mylander v. Baltimore, No. 38, COURT OF APPEALS OF MARYLAND, 166 Md. 658; 172 A. 234; 1934 Md. LEXIS 73, April 25, 1934, Decided

OVERVIEW: Property owners could not defeat enforcement of a lien on their unimproved property based on city's failure to comply with the notice requirement where the failure was due to the owners own fault in not having the transfer to them properly recorded.

ET AL. v. **MAYOR AND CITY COUNCIL OF BALTIMORE** CITY.

39. Baltimore v. Gibbs, No. 120, COURT OF APPEALS OF MARYLAND, 166 Md. 364; 171 A. 37; 1934 Md. LEXIS 41, February 20, 1934, Decided

OVERVIEW: Property held in trust in another state was not subject to state taxation when the taxes on the property were paid in the other state because it would result in double taxation on the same property.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. ANNE R. ...

40. Petroli v. Baltimore, No. 14, COURT OF APPEALS OF MARYLAND, 166 Md. 431; 171 A. 45; 1934 Md. LEXIS 47, February 9, 1934, Decided

OVERVIEW: In landowners' action to recover damages for loss caused by delay in carrying out provisions of condemnation award, judgment for city and mayor was proper because facts stated were insufficient to show that delay caused any special loss or damage.

ET AL. v. **MAYOR AND CITY COUNCIL OF BALTIMORE.**

41. Van Reuth v. Baltimore, No. 76, COURT OF APPEALS OF MARYLAND, 165 Md. 651; 170 A. 199; 1934 Md. LEXIS 176, January 12, 1934, Decided

OVERVIEW: In action by heirs at law for construction of a will, judgment for a city, the devisee, was proper because city could accept devise of valuable property which happened to be subject to a mortgage, if devisee had money to discharge the incumbrance.

ET AL. v. **MAYOR AND CITY COUNCIL OF BALTIMORE.**

42. Ghingher v. Pearson, Nos. 14, 15, 16, COURT OF APPEALS OF MARYLAND, 165 Md. 273; 168 A. 105; 1933 Md. LEXIS 130, October, 1933, Decided

OVERVIEW: The preference created for the benefit of the state by the Emergency Banking Act impaired the obligations of contracts and deprived depositors of their property rights without due process of law and, therefore, was invalid.

PEARSON ET AL. **MAYOR AND CITY COUNCIL OF BALTIMORE** v. CRAVEN P. ...

43. Ghingher v. Baltimore, No. 26, COURT OF APPEALS OF MARYLAND, 165 Md. 324; 168 A. 125; 1933 Md. LEXIS 133, July 7, 1933, Decided

OVERVIEW: A writ of mandamus was improperly issued to compel a banking commissioner to release city funds that were held by banking institutions because the city's funds were subject to the terms of an emergency banking act that restrained withdrawals.

BANK COMMISSIONER, v. **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL.**

44. Baltimore v. Home Credit Co., No. 22, COURT OF APPEALS OF MARYLAND, 165 Md. 57; 166 A. 604; 1933 Md. LEXIS 109, May 26, 1933, Decided

OVERVIEW: When a business taxpayer learned only after several years that it erroneously paid taxes on certificates of indebtedness by individuals, it correctly used the alternative remedy to sue, which was not waived by a mistake of law.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. HOME CREDIT ...

45. American Medicinal Spirits Co. v. Baltimore, Nos. 40, 41, COURT OF APPEALS OF MARYLAND, 165 Md. 128; 166 A. 407; 1933 Md. LEXIS 117, May 26, 1933, Decided

OVERVIEW: A city's action in equity to enjoin a company from pursuing its action at law to recover a sum of money was denied because the city had an opportunity to present any proper defense, whether by way of set-off or otherwise, in the action at law.

SPIRITS COMPANY v. **MAYOR AND CITY COUNCIL OF BALTIMORE.**

46. Baltimore City v. Fuget, No. 67, COURT OF APPEALS OF MARYLAND, 164 Md. 335; 165 A. 618; 1933 Md. LEXIS 61; 88 A.L.R. 1058, March 20, 1933, Decided

OVERVIEW: An act providing for "mothers' relief" was found to be valid under the Maryland Constitution because it was a public general law, it did not embrace more than one subject matter, and was not an establishment of a general pension system.

... **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL.** v. ...

47. Baltimore v. Baltimore Steam Packet Co., No. 101, COURT OF APPEALS OF MARYLAND, 164 Md. 284; 164 A. 878; 1933 Md. LEXIS 36, March 1, 1933, Decided

OVERVIEW: A company's demurrer could not be sustained after it abandoned a wharf it used under a city grant because the ordinance passed as a contract with the company required payments for the full term of years.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. **BALTIMORE STEAM PACKET COMPANY.**

48. Jack Lewis, Inc. v. Baltimore, No. 98, COURT OF APPEALS OF MARYLAND, 164 Md. 146; 164 A. 220; 1933 Md. LEXIS 20, January 19, 1933, Decided

OVERVIEW: An applicant was properly denied a permit to alter a home for the purpose of turning it into a funeral home

because a city's ordinance forbidding funeral establishments in residential districts was a reasonable exercise of police power.

LEWIS, INC., v. **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL.**

49. Stoll v. Baltimore, No. 66, COURT OF APPEALS OF MARYLAND, 163 Md. 282; 162 A. 267; 1932 Md. LEXIS 33, October 6, 1932, Decided

OVERVIEW: A city's erection of a garbage incineration plant on an island did not violate a statute prohibiting garbage reduction plants in that area because incineration plants were different from reduction plants.

C. STOLL v. **MAYOR AND CITY COUNCIL OF BALTIMORE.**

50. Browne v. Baltimore, Nos. 9, 10, COURT OF APPEALS OF MARYLAND, 163 Md. 212; 161 A. 24; 1932 Md. LEXIS 8, June 22, 1932, Decided

OVERVIEW: The dismissals of taxpayers' two actions that sought injunctions against a mayor and council were affirmed because the challenged ordinances contained a sufficient authorization for the highway's construction.

ET AL. v. **MAYOR AND CITY COUNCIL OF BALTIMORE.**

51. Baltimore v. Deegan, No. 60, COURT OF APPEALS OF MARYLAND, 163 Md. 234; 161 A. 282; 1932 Md. LEXIS 28, June 22, 1932, Decided

OVERVIEW: A city was awarded only a portion of its claim against a sheriff for fines and forfeitures collected in criminal courts during a certain time because a new act only prohibited the payment of informer's fees and did not divert revenue from the state.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. JOSEPH C. ...

52. MAYOR & CITY COUNCIL OF BALTIMORE v. EMPLOYERS' ASS'N OF MARYLAND, INC., No. 104, COURT OF APPEALS OF MARYLAND, 162 Md. 124; 159 A. 267; 1932 Md. LEXIS 102, March 3, 1932, Decided

OVERVIEW: A city's demurrer to a complaint by taxpayers seeking to enjoin the adoption of a wage scale for municipal contracts was properly overruled when there was no direct authority in the city charter for the adoption of a wage scale.

... **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL.** v. ...

53. Miller v. Baltimore, No. 22, COURT OF APPEALS OF MARYLAND, 161 Md. 312; 157 A. 289; 1931 Md. LEXIS 35, December 4, 1931, Decided

OVERVIEW: A truck driver could not recover from a mayor and city council for personal injuries he sustained after colliding with a rope barrier on a city street because the cause of his injuries was his own contributory negligence.

... JULIUS MILLER v. **MAYOR & CITY COUNCIL OF BALTIMORE.**

54. Baltimore v. Poe, No. 2, COURT OF APPEALS OF MARYLAND, 161 Md. 334; 156 A. 888; 1931 Md. LEXIS 37, November 18, 1931, Decided

OVERVIEW: A cyclist properly recovered for injuries sustained when he road into a hole because a city (Maryland) had a general responsibility for the condition of the streets and a railroad had a statutory duty to maintain street beds adjacent to its tracks.

... **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL.** v. ...

55. MAYOR & CITY COUNCIL OF BALTIMORE v. STATE TAX COMM'N, No. 41, COURT OF APPEALS OF MARYLAND, 161 Md. 234; 155 A. 739; 1931 Md. LEXIS 26, July 20, 1931, Decided

OVERVIEW: Though a shipbuilding company did not produce a ready for use product, it was a "manufacturer" and not entitled to a statutory exemption from property taxation where it reduced the hulls of vessels into melting steel.

... **MAYOR AND CITY COUNCIL OF BALTIMORE** v. STATE TAX ...

56. Baltimore Steam Packet Co. v. Baltimore, Nos. 14, 15, COURT OF APPEALS OF MARYLAND, 161 Md. 9; 155 A. 158; 1931 Md. LEXIS 2, June 10, 1931, Decided

OVERVIEW: Dismissal of complaint contesting legality of assessment of complainant's capital stock, which included value of vessels, was upheld because vessels were not statutorily exempt when they did not operate between port outside limits of Chesapeake Bay.

... **BALTIMORE STEAM PACKET CO. v. MAYOR AND CITY COUNCIL OF BALTIMORE. BALTIMORE**

STEAM PACKET CO. ...

57. Mayor, etc., of Baltimore v. Libowitz, No. 33, COURT OF APPEALS OF MARYLAND, 159 Md. 28; 149 A. 449; 1930 Md. LEXIS 83, March 14, 1930, Decided

OVERVIEW: A petition for a writ of mandamus by citizens against a mayor could not be removed for trial because the new court would have had difficulty in enforcing its mandate against public officials of another jurisdiction.

... **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL. v. ...**

58. Baltimore v. Krupnick, No. 34, COURT OF APPEALS OF MARYLAND, 159 Md. 39; 149 A. 454; 1930 Md. LEXIS 84, March 14, 1930, Decided

... **MAYOR AND CITY COUNCIL OF BALTIMORE ET AL. v. ...**

59. Johnson v. Baltimore, No. 35, COURT OF APPEALS OF MARYLAND, 158 Md. 93; 148 A. 209; 1930 Md. LEXIS 19; 66 A.L.R. 1488, January 7, 1930, Decided

OVERVIEW: City met constitutional and other legal requirements to condemn property owners' land because such land was needed to provide a free public library, which clearly was for a public or municipal purpose, namely the continuing education of its citizens.

ET AL. v. **MAYOR AND CITY COUNCIL OF BALTIMORE.**

60. Hubbard v. Baltimore, No. 30, COURT OF APPEALS OF MARYLAND, 158 Md. 46; 148 A. 128; 1930 Md. LEXIS 13, January 6, 1930, Decided

OVERVIEW: A constitutional provision that allowed for the appointment of appraisers by a court of record to value property in a condemnation proceeding was not exclusive and did not render invalid the valuation made by commissioners for opening streets.

ET AL. v. **MAYOR AND CITY COUNCIL OF BALTIMORE.**