

reference to the abatement of the same, and the person or persons by whom the same shall be executed, and by whom and in what proportions the cost of such abatement or work shall be paid, as to him may seem reasonable; provided, that the said judge may suspend his final determination on condition that the person, firm or corporation complained of shall undertake to adopt within a reasonable time such means as the said judge may deem practicable, and may order to be carried into effect for abating such nuisance, or for mitigating or preventing any effluvia prejudicial to health which may arise therefrom.

An. Code, sec. 106. 1904, sec. 77. 1888, sec. 38. 1886, ch. 12, sec. 4.

105. Any person, firm or corporation not obeying an order made by any one of the aforesaid judges, to comply with the requisitions of the state board of health or otherwise, to abate the nuisance complained of, shall, if all due diligence has not been used to carry out such order, be liable to a penalty not exceeding ten dollars per day during his or their default; and any person, firm or corporation knowingly or wilfully acting contrary to an order of abatement or prohibition shall be liable to a penalty not exceeding twenty dollars per day during such contrary action; and the person, corporation or corporations not obeying or wilfully acting contrary to such order of the judge shall be guilty of a misdemeanor; such offense in the city of Baltimore shall be prosecuted by the arrest of the offender for such offense, and by holding him to appear in or committing him for trial in the criminal court of Baltimore, which court shall have jurisdiction in the said cases to try and dispose of the same in the same manner as other criminal cases may be tried or proceeded with or disposed of; or such offense may be prosecuted by indictment in such court; such offense in any county of this State shall be prosecuted by the arrest of the offender for such offense, and by holding him to bail to appear in or committing him for trial in the circuit court for the county in which such offense was committed, or by indictment in the circuit court for the county in which such offense was committed. If any person shall be adjudged guilty of any such offense by the court having jurisdiction in the premises, he shall be sentenced to pay the fine or penalty herein prescribed for such offense, and the costs of his or their prosecution; and in default of payment thereof, he shall be committed to jail until thence discharged by due course of law.

An. Code, sec. 106A. 1917, ch. 36.

106. Whenever the State Board of Health, its officers or agents, upon investigation, shall find that the contents from any surface privy, privy-pit, water-closet, or cesspool overflows or leaks from said surface privy, privy-pit, water-closet, or cesspool, or shall find any surface privy, privy-pit, water-closet, or cesspool on any premises in this State, which is not fly-tight and water-tight, and shall also find on said premises the disease of cholera, typhoid or typhus fever, hookworm, dysentery or parasitic disease of the bowels, then such premises, surface privy, privy-pit, water-closet or cesspool, as the case may be, shall be deemed in a state of nuisance and liable to summary abatement by the State Board of Health.