

INFECTIOUS AND CONTAGIOUS DISEASES.

Small Pox. Expenses of Disinfection.

See *Harrison v. Mayor*, 1 Gill, 264.

NUISANCES GENERALLY

There is no prescriptive right to maintain a public nuisance.

P. W. & B. R. R. Co. v. State, 20 Md. 157. *N. C. Ry. Co. v. Baltimore*, 21 Md. 105.

As to duty of City to prevent public nuisances, see,

Mayor v. Brannan, 14 Md. 227.

A private individual cannot maintain an action for damages resulting from a public nuisance unless he suffers some special injury. The remedy is by indictment.

Harrison v. Sterrett, 4 H. & McH. 550.

A municipal corporation, without any general laws, either of the City or of the State, within which a given structure can be shown to be a nuisance, cannot by a mere declaration that it is one, subject it to removal by any person supposed to be aggrieved, or even by the city itself.

New Windsor v. Stocksdales, 95 Md. 215.

The municipality cannot, by merely declaring a structure over a dedicated alley not yet occupied by it, a nuisance, remove the same, but the fact that it was a nuisance should have been first established before a court of competent jurisdiction.

Frostburg v. Hitchins, 99 Md. 617.

Particular Nuisances.

Bawdy House. A bawdy house is a public nuisance which may be enjoined if a continuing nuisance and in addition a suit for damages will lie for the depreciation of property resulting from its maintenance.

Hamilton v. Whitridge, 11 Md. 143.

Bridge. When a defective bridge may be a nuisance see,

P. W. & B. R. R. Co. v. State, 20 Md. 157.

Buildings. A dilapidated building or wall, menacing the users of the street, is a nuisance.

Murray v. McShane, 52 Md. 217.

Cattle Running at Large. See,

Cochrane v. Frostburg, 81 Md. 54.

Cess-pools in Towns. See,

Sprigg v. Garrett Park, 89 Md. 410.

Coasting in Streets or on Sidewalks. When a nuisance which city is bound to prevent; see,

Altwater v. Mayor, 31 Md. 466. *Taylor v. Cumberland*, 64 Md. 68.

Dogs Running at Large. Validity of ordinances providing for killing of same sustained.

City of Hagerstown v. Witmer, 86 Md. 293.

Drains. Overflow from drains flooding lands, see,

Guest v. Commissioners of Church Hill, 90 Md. 689.

Elevated Structures. Not necessarily a public nuisance, see,

Garrett v. Lake Roland Elv. R. R. Co., 79 Md. 286.

Fertilizer Factory. When a nuisance. Prescriptive right where plaintiff "came to the nuisance," discussed.

Susquehanna Fertilizer Co. v. Malone, 73 Md. 268.

Ice on Footways. Duty and liability of municipality arising therefrom discussed.

Baltimore v. Marriott, 9 Md. 174.

Lime Kilns. A particular use of property declared a nuisance by an ordinance of a municipal corporation, did not make such use a nuisance, unless it be so in fact, according to the common law or statutory definition of a nuisance.

State v. Mott, 61 Md. 259.

Livery Stable. Declared not to be a nuisance *per se*, but may become so by its construction or use.

Commissioners of Easton v. Covey, 74 Md. 262. *Metropolitan Savings Bank v. Manion*, 87 Md. 68. *Gallagher v. Flury*, 99 Md. 187.

A stable for horses is not a nuisance *per se*, and the erection of one will not be enjoined merely because it may become one from the way it may be managed.

King v. Hamill, 97 Md. 107.

Markets. Duty of City to prevent nuisances in markets. Hole in market place.

Mayor v. Brannan, 14 Md. 227.