

RAMSAY V. RIDDLE ET AL.

{1 Crunch, C. C. 399.}<sup>1</sup>

Circuit Court, District of Columbia. April Term, 1807.

NUISANCE—INJUNCTION—BAKEHOUSE.

The court will not enjoin what may or may not be nuisance.

Motion to dissolve an injunction to restrain [Riddle & Thornton] from converting a wooden warehouse into a bakehouse.

F. L. Lee and C. Lee, for plaintiffs, in support of the injunction, cited 1 Fonbl. 29; Amb. 159; 2 Ves. Sr. 452; Amb. 209; 2 Brown, Ch. 64; Mitf. 103, 107; 3 Inst 201; 213 3 Bl. Comm. 216; Ld. Raym. 486; Wood, Inst. 538; Cro. Car. 366; 2 Snow. 32T; Strange, 1167; 12 Mod. 342; 16 Vin. 23.

E. J. Lee and Mr. Swann, contra, cited 4 Bl. Comm. 168; 1 Hawk. c. 75, § 12; 3 Bl. Comm. 219; Id. 5; 1 Hawk. c. 75; 3 Atk. 21; 12 Mod. 510; 3 Atk. 750; 1 Eonbl. 21, 29, 30; 4 Brown, Ch. 165; 2 Ves. Jr. 42; 16 Vin. 23 2 Har. Ch. 237.

Mr. Jones, for plaintiffs, cited Fran. Max. 30; 1 Burrows, 334; 6 Mod. 145; Bac. Abr. tit. "Nuisance."

The injunction was dissolved without costs (nem. con.).

THE COURT said, if the house in fitting up, should not be well secured against danger from fire, it might be the ground of an injunction to prevent the use of it as a bakehouse.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]