

The question who may abate a nuisance may depend upon whether the nuisance is public or private. If it is a private nuisance, he only can abate it who is injured by its continuance. *State v. Smith*, 52 Wis. 134. But in *Burnham v. Hotchkiss*, 14 Conn. 310, and other earlier cases, it is said that where there exists a common nuisance it may be abated by any individual. But the latter opinion is that this right is never intrusted to individuals in general without process of law and unless there is special injury the private citizen must leave the public injury to be redressed by the public authorities. *Ely v. Supervisors*, 36 N. J. 297; *Brown v. Perkins*, 12 Gray 89.

RIPARIAN OWNERS—PIERS IN NEW YORK BAY—LATERAL SUPPORT—WHITE V. NASSAU TRUST CO., 61 N. E. 168 (N. Y.).—*Held*, that the law of lateral support does not apply to a support for a pier erected on land under water.

This is a novel position. It is based on the theory that the rules as to lateral support of land as it is usually owned have no application to a case such as this. The distinction is drawn in the nature of the substance, that land under water is muddy and plastic in its nature, changing with the ebb and flow of the tide and with anything which affects the bottom of the sea.

STREETS—IRREVOCABLE DEDICATION—PLATS—LAND COMPANIES.—COLLINS ET AL. V. ASHVILLE LAND CO., 39 S. E. 21 (N. C.).—Where land is laid off into numbered city lots and streets, and certain lots are sold with reference in the deeds to a plat thereof, such streets are irrevocably dedicated in favor of purchasers of the lots, even though no registration of the plat is made. *Douglass, J., dissenting.*

The general rule that one purchasing a lot with reference to an unregistered plat has a right to have the adjoining street kept open for its full width to the nearest traveled highway is unquestioned; but whether a purchaser of a lot requires a right of way over every street laid down upon the plat, does not seem definitely settled. In support of the present case are *Conrad v. Land Co.*, 126 U. S. 776; *Wolfe v. Sullivan*, 133 Ind. 331; *Taylor v. Coin*, 29 Gratt. (Va.) 780; *In re Opening of Pearl Street*, 111 Pa. St. 565.

The contrary view is also well supported, *Carey v. Toronto*, 11 Ont. App. 416; *Mahler v. Brennder*, 92 Wis. 477; *Hawley v. Baltimore*, 33 Md. 270; *Pearson v. Allen*, 151 Mass. 79.

The dissenting judge strongly protests against carrying to so great lengths the doctrines of street dedication and shows the injustice and unfairness of allowing a purchaser to keep open streets which are of no value or advantage to him.

ALUMNI NOTES.

'76.—Prof. T. S. Woolsey is the acting Dean of the Law School during the illness of Dean Wayland. He will also act as the Faculty Financial Adviser to the Musical Clubs.

'94.—Harrison J. Teller is engaged in fruit raising at Grand Junction, Colorado.