1916, providing for the abatement of disorderly houses as nuisances, was within the police power of the state.

[Ed. Note.—For other cases, see 3 Va.-W. Va. Enc. Dig. 225.]

Appeal from Corporation Court of City of Newport News.

Suit by the Commonwealth against Blanche R. Bunkley and another to have the premises maintained by defendants declared a nuisance and enjoined and abated. Decree for complainant, and defendants appeal. Affirmed.

Jno. N. Sebrell, Jr., of Norfolk, and *J. Winston Read,* of Newport News, for appellants.

The Attorney General, for the Commonwealth.

JUDY et al. *v.* DOYLE.

June 16, 1921.

[108 S. E. 6.]

1. Customs and Usages (§ 10*)—Testimony as to Custom of Transporting Mower Blades Inadmissible on Issue of Negligence in Parking Truck with Protruding Blades.—In an action for injuries to a bicycle rider, who ran into the sharp edges of mowing machine blades projecting from defendant's truck, in riding between truck and automobile parked next to truck along side of street, in which it was claimed that defendant was negligent in parking truck with open blades protruding toward other automobile parked in close proximity, but in which there was no isssue as to whether the placing of the blades in the truck so as to protrude therefrom was in itself negligence, testimony that it was the custom of careful and prudent farmers in the community to transport mower blades to their farms in such manner held inadmissible; such testimony having no bearing on question of whether parking of truck in such manner was negligence.

[Ed. Note.—For other cases, see 13 Va.-W. Va. Enc. Dig. 416.]

2. Municipal Corporations (§ 705 (6)*)—Driver, Who Parked Truck with Sharp Mower Blades Protruding Toward Automobile Parked in Close Proximity, Held Negligent.—Driver of truck with sharp edges of mower blades projecting therefrom, who parked truck so that the blades extended toward car parked next to truck, leaving a very narrow passage between truck and such car, so as to endanger persons passing between the truck and such automobile, and who left track unattended, without wrapping burlap or other material around the protruding blades, or inclosing them between boards, held negligent.

[Ed. Note.—For other cases, see 10 Va.-W. Va. Enc. Dig. 360, 361.]

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*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.

3. Municipal Corporations (§ 705 (2)*)—Driver of Vehicle Must Drive to the Right on Meeting Another Vehicle.—The driver of a vehicle, meeting another vehicle, must seasonably drive to the right-hand side.

[Ed. Note.—For other cases, see 17 Va.-W. Va. Enc. Dig. 100.]

4. Municipal Corporations (§ 705 (6)*)—Truck Driver, Negligently Parking Truck with Sharp Blades Projecting, Liable for Injuries to Bicycle Rider, though Not Anticipating Accident.—Driver of truck, with sharp edges of mower blades projecting therefrom, who parked truck so that the blades extended toward car parked next to truck, leaving a very narrow passage between truck and such car, so as to endanger persons passing between the truck and such automobile, and who left truck unattended, without wrapping burlap or other material around the protruding blades, or inclosing them between boards, held liable for injuries to a bicycle rider, who ran into and was cut by blades in attempting to ride between truck and such automobile to save himself from a collision, though the truck driver, in so parking truck, did not anticipate his negligence in so doing would result in such accident.

[Ed. Note.—For other cases, see 10 Va.-W. Va. Enc. Dig. 386.]

5. Negligence (§ 59*)—Precise Injury Need Not Have Been Anticipated.—One who is negligent is liable for all the consequences which naturally flow from the negligent act, viewing the case retrospectively, regardless of whether they could have been reasonably anticipated; it being sufficient if he ought to have anticipated that the accident was likely to result in injuries to others.

[Ed. Note.—For other cases, see 10 Va.-W. Va. Enc. Dig. 388.]

6. Municipal Corporations (§ 705 (10)*)—Bicycle Rider Held Not Contributorily Negligent in Riding between Parked Automobiles to Avoid Collision.—A bicycle rider, who rode into a narrow passage between truck and other automobile parked along sidewalk to avoid being caught between two automobiles approaching him and automobile driving behind and in same direction as bicycle, and who was injured by the open mowing machine blades projecting from truck, held not contributorily negligent, precluding recovery, in action for truck driver's negligence in so parking truck.

[Ed. Note.—For other cases, see 10 Va.-W. Va. Enc. Dig. 385, 386.]

7. Municipal Corporations (§ 706 (6)*)—Truck Driver's Negligence in Parking Truck with Sharp Mower Blades Projecting therefrom, as Proximate Cause of Injury, Held for Jury.—In an action for injuries to bicycle rider, who ran into open mowing machine blades projecting from parked truck in attempting to ride between truck and other parked automobile, to avoid collision with automobiles ap-

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.

proaching him from opposite direction, the question of whether truck driver's negligence in so parking automobile was the proximate cause of the injury held for the jury.

[Ed. Note.—For other cases, see 10 Va.-W. Va. Enc. Dig. 385, 386.]

8. Negligence (§ 136 (25)*)—Proximate Cause for Jury.—It is the province of the court to determine in the first instance whether or not the facts offered in evidence to prove injury are too remote from the defendant's negligence to constitute an element of the plaintiff's recovery, and where the court is unable to ascertain such remoteness, the question of proximate cause is ordinarily for the jury, to be determined as a fact in view of the circumstances.

[Ed. Note.—For other cases, see 10 Va.-W. Va. Enc. Dig. 414, 415.]

9. Negligence (§ 119 (6)*)—Plaintiff's Testimony Alone Considered on Question of Contributory Negligence, Where Defendant Failed to Give Statutory Notice.—Where defendants failed to give the notice relating to the defense of contributory negligence required by Code 1919, § 6092, the court properly limited the evidence on the issue of contributory negligence to that introduced by the plaintiff.

10. Appeal and Error (§ 1004 (1)*)—Verdict Not Disturbed as Excessive, unless Prejudice or Mistake Is Shown.—Appellate court will not disturb the verdict, unless the damages are so excessive as to warrant the conclusion that the jury must have been influenced by partiality or prejudice, or have been misled by some mistake in view of the merits of the case.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 581.]

11. Damages (§ 132 (8)*)—$7,542.85 Verdict for Injuries to Arm, Permanently Distorting Hand, Held Not So Excessive as to Warrant Appellate Court's Interference.—Verdict for $7,542.85 for injuries to 12 year old boy's arm, resulting in a permanently maimed and distorted hand and in the boy's being physically incapacitated for usefulness at least 60 per cent., held not so excessive as to warrant interference by appellate court.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 576.]

Error to Corporation Court of Fredericksburg.

Action by John M. Doyle, Jr., by his next friend, against A. H. Judy and another. Judgment for plaintiff, and defendants bring error. Affirmed.

F. M. Chichester and *A. T. Embrey,* both of Fredericksburg, for plaintiffs in error.

Wm. W. Butzner and *C. O'Conor Goolrick,* both of Fredericksburg, for defendant in error.

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*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.