

*cover it except with tiles or corrugated iron; although he is entitled to make excavations, he cannot make one of such nature as the neighbouring houses collapse (S. 52); although he is entitled to turn his land to such use as he thinks the more profitable, if the land is situated in a residential quarter, he cannot build on it a factory the smoke, stench or trepidation of which renders the neighbouring residences uninhabitable. In the first case, he would be liable to the penalties provided by law and in the other cases to pay compensation to the injured owners.*

**51. — The owner of an immovable cannot construct roofs or other structures which cause rain water to fall directly on adjoining immovables.**

F. 681. I. 591. J. 218. M. 141.

**52. — When there are heavy buildings or structures on an immovable, the owner of the adjoining immovable, when digging wells, cisterns, ditches, pools, etc. must take any necessary precautions to prevent the collapse of such buildings or structures.**

If he fails to do so, the owner of the buildings or structures may require that the work be stopped at once until necessary precautions have been taken.

G. 909. J. 237.

**53. — The owner of an immovable is always entitled to enclose it, provided that he does not prevent the exercise of servitudes.**

F. 47. M. 12

*Illustration : — A is the owner of a piece of land over which B has a right of way. A may close his land by a*

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