

Complaint, your Respondents admit that several years after the said paving of part of the said street, the Metropolitan Sewer Commission, with the consent of the said Town, laid a sanitary sewer in part of said street, adjacent to and under the said paving, and that to the best of your Respondents knowledge the Town has not paved any other part of the said street or taken any other action indicating its acceptance of the "offer" (which your Respondents deny was merely an "offer") to dedicate the balance of Federal Street bordering Lot 84 or the portion of North Alley bordering Lots 84 and 85, except as hereinbefore described in Paragraph 9 (b) hereof.

(g) That in answer to Paragraph 9 (d) of said Bill of Complaint, your Respondents deny that there is no supporting evidence to the fact, which they admit, that the general public has for many years used portions of North Alley and Federal Street as footpaths or wagon-ways, and further deny that they were possibly used as wagon-ways, averring that they were in fact so used, and that your Respondents neither admit nor deny that the portions so used as footpaths or wagon-ways were "small" since they feel this word is inadequately defined for them to admit or deny it.

(h) That your Respondents deny the allegations contained in Paragraph 9 (e) of said Bill of Complaint as being applicable to this case, averring that if any Article of the Annotated Code of Maryland were applicable, it would be Volume Real Property of the Annotated Code of Maryland, 1974 Replacement Volume, 1976 Cumulative Supplement, Title 2, Section 2-114 which specifically states that "Unless a contrary intention appears in the deed, will, or other instrument, if any deed, will or other instrument grants or bequeaths land binding on any street or highway, or if any street or highway is one or more of the lines of the land, the deed, will, or other instrument passes to the legatee, donee, or grantee, all the right, title, and interest of the testator, donor or grantor in the street or highway. Except that to the extent the testator, donor, or grantor owns other land on the opposite side of the street or highway, the deed, will, or other instrument passes the right, title, and interest of the testator, donor, or grantor only to the center of that portion