

In the case of Arcadia Investment Corporation, Inc. v. Crown Cork & Seal Co., Inc., 190 Md. 106, 57 A.2d 285 (1948), the Court held:

"(the) deeds were executed prior to the Act of 1892, Ch. 684, Code, Art. 21, Sec. 114...and therefore did not pass title to the center of the alleys." Id. at ____, 57 A.2d at 286

Also in the case of Rieman v. Baltimore Belt R. Co., et al., 81 Md. 68, 31 A. 444 (1895), the Court held:

"By Act 1892, c. 684, it is provided, in accordance with our suggestion made in Hunt v. Brown, supra, that title passes to the center of the street or highway in all cases of devise, gift, grant, or conveyance of land bounding on any street or highway, or when any street or highway shall be one or more of the lines thereof, unless title to such street or highway is reserved in express terms. This act, having been passed subsequent to the date of the deed herein question, is not applicable to this case." (emphasis added). Id. at ____, 31 A. at 446

Both of these cases show that: (1) Title did not pass to the center of the alleys and streets in deeds executed prior to the enactment of the said law. (2) Said law is not applicable with regard to those previously executed deeds. (3) Anyone with title under one of the said previously executed deeds could not convey more than he owned so could not convey said streets and alleys.

In Harlan v. Town of Bel Air, ____, Md. ____, 13 A.2d 370 (1940) the Court pointed out:

"The law is well established in this State that an intent on the part of an owner of land to dedicate it to public use is absolutely essential to constitute a dedication...When an owner lays off land in lots and sells them as bounding on certain streets, which are sufficiently designated, the streets are held to be dedicated to the public..."

"In Maryland it is a well settled principle that, in order to establish the dedication of a street, it is unnecessary for the legal title to pass from the owner of the land. If a street is shown on a plat, which has been prepared either by authority or by the owner of the land, and the owner conveys lots finding (sic binding?) on the street, there is a dedication of the street even though he continues to hold the fee simple title to the bed of the street. No deed is necessary to evidence the dedication; nor is any grantee in esse necessary to take the title. ... It has also been held that, in the absence of any