

File No. 24706 Continued.

This Act only makes the highways which have been dedicated and accepted or legally condemned or in process of condemnation when the Act was passed, public highways of Baltimore City. The roads in Roland Park which were dedicated were not accepted by the County before the passage of the Act of 1918 and are, therefore, private roads, so that the City would have to accept the dedication thereof before they become public highways of Baltimore City. This can only be done by an Ordinance of the Mayor and City Council of Baltimore, as there is no special provision in the Act of 1918 for accepting the dedication of roads and highways. Said Act of 1918, Sec. 2 provides as follows:

"That except as hereinafter otherwise provided all the provisions of the Constitution of Maryland and of the Baltimore City Charter and other local laws applicable to Baltimore City and all the existing ordinances of Baltimore City shall be the same as hereby extended and made applicable to such portions of Baltimore County and Anne Arundel County as shall under the provisions of this Act be annexed to and made part of Baltimore City."

The above might be construed as applying Sec. 840-A of the Charter to the Highways of the new annex, which section is as follows:

"That every private street, lane, alley, or way in the City of Baltimore which shall be hereafter laid out and opened, and which for a period of one year shall connect with, open into, or lead to or from any public street, lane, alley or way of said city, and passage between which said private street, lane, alley or way and said public street, lane, alley or way shall not be barred or obstructed by a wall, fence or similar structure erected along the dividing line between them, either without a gate or gates therein, or with a gate or gates, which shall be kept closed at all times except when in actual use, shall be conclusively presumed to have been dedicated by the owner or owners thereof to public use as public highways, and may, at any time, thereafter, be accepted as public highways, either by ordinance of the Mayor and City Council of Baltimore or in any other manner in which a dedication of land to public use made in any other way be accepted. The preceding provisions of this act shall not apply to any private streets, lanes, alleys or ways laid out after the passage of this amended act, upon plans approved by the Topographical Survey Commission of Bal-