

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 Baltimore City, whose owner or owners shall declare them to be private by placing and maintaining a sign or signs at or near the junction or junctions of such private streets, lanes, alleys or ways with such public streets, lanes, alleys or ways on which sign or signs shall be marked the words "Private Way," provided and so long as such owner or owners do not grant in such private streets, lanes, alleys or ways, for a longer period than twenty-five years, any franchise, right or easement for a railway or for pipe or conduits for supplying electricity, gas, water or steam or for any other use that would be in the nature of a public service franchise.

Canton Co. v. Seal. 144 Md. 174.

1912, ch. 659. sec. 2.

840B. That nothing herein contained shall affect any right acquired by the Mayor and City Council of Baltimore City under said Act of 1908, Chapter 582, prior to the passage of this Act.

1908, ch. 583.

840C. That every private street, lane, alley or way now existing in the City of Baltimore, which for a period of one year from the passage of this Act, 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

*Now the Bureau of Plans and Surveys. See sec. 85A, sub-sec. 8 hereof.