

Where a deed merely describes the land conveyed as abutting on a street which was only referred to once, and whose width is not given, and where there was no evidence of any dedication, it was held that no dedication could be presumed from the deed.

M. & C. C. v. Yost, 121 Md. 366.

The fact that Chapter 110 of the Acts of 1910, authorizing the construction of the Fallsway, provided a fund to meet the cost and expenses of the improvement, had no effect on the power of the city and the Commissioners for Opening Streets to assess benefits.

P. B. & W. R. R. Co. v. M. & C. C., 121 Md. 504.

The Fallsway having been constructed under the special authority of Chapter 110 of the Acts of 1910, there was no legal necessity of giving the notice required by Section 828 of the Charter, in order to render benefit assessments valid.

Safe Deposit & Trust Co. v. M. & C. C., 121 Md. 522.

The "just compensation" required by the Constitution to be paid when private property is taken for public use, includes not only the value of the part of the lot condemned, but also a due allowance for damages for any injury done to the remainder.

M. & C. C. v. Megary, 122 Md. 20.

In condemnation proceedings to close a street, damages cannot be legally demanded for consequential injuries to property that is several squares distant from the street closed and which has means of ingress and egress independent of the street closed.

German Lutheran Church v. M. & C. C., 123 Md. 142.

In condemnation proceedings to open a public street, the question of whether the permanent grade should not be established before the assessment of benefits is one within the jurisdiction of the Baltimore City Court, with the right of an appeal from its decision to the Court of Appeals.

M. & C. C. v. Johnson, 123 Md. 320.

When an assessment for benefits for the opening of a street has been made before the fixing of the grade, on appeal to the Baltimore City Court, a prayer instructing the jury that there is no evidence in the case legally sufficient to justify an assessment of benefits against the property is proper.

Patterson et al. v. M. & C. C., 124 Md. 153.

When a street is dedicated to the public merely by deeds and plats of the grantee and has never been expressly or by implication accepted by the public authorities or ever used as a street for over sixty years after such deeds were recorded, and where the ground so dedicated had never been paved or lighted, but had been enclosed by a fence and leased out and used by private parties and for over thirty years the public authorities had assessed and collected taxes on the property it was held that the city was estopped from asserting any rights over the property or from accepting the dedication.

M. & C. C. v. Canton Co., 124 Md. 620.

Where in a conveyance of land the description is by reference to streets designated as such in the conveyance or on a map made by the city or by the owner of the property, there is an implied covenant that the purchaser shall have the use of such streets, and such conveyance is evidence tending to establish a dedication of the streets so referred to, if at the time of the deed the title in the beds of the streets was in the grantor.

P. B. & W. R. R. Co. v. M. & C. C., 124 Md. 635.

The city has no power to assess benefits which materially amount to more than the aggregate of damages and expenses, and it is the duty of the Commissioners for Opening Streets to deduct the excess, if they find such, pro rata.

Md. Trust Co. v. M. & C. C., 125 Md. 40. Balto. v. Md. Trust Co., 135 Md. 36.

City cannot condemn in fee part of railway yard for alley and deprive railway of use.

N. C. Ry. Co. v. Balto., 133 Md. 658.

City may condemn for improvement of harbor

Marchant v. Balto., 146 Md. 513.