

File No. 25126 Continued.

"Sec. 11. AND BE IT FURTHER ENACTED, That all roads, streets, avenues or alleys, lying in any of the territory hereinabove described, which shall have been heretofore dedicated and accepted or legally condemned as roads or streets, under the provisions of any Act of the General Assembly of Maryland, or of the common law, shall be held to be validly constituted public highways of Baltimore City; and all proceedings for the laying out, opening, grading and construction of streets, avenues, or alleys, in said territory, which shall have been begun under any existing statutes of Maryland prior to the passage of this Act, shall be proceeded with and completed under the said Act or Acts in all respects as if this Act had not been passed. When such proceedings are completed, said streets, avenues and alleys shall be public highways of Baltimore City. Any bridges existing in any of said highways mentioned in this Section shall be considered as parts of such highways."

"Sec. 2. AND BE IT FURTHER ENACTED, 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 and the same are 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; and thereupon all the provisions of the Public Local Laws of Maryland relating to Baltimore County, except as hereinafter otherwise provided, shall cease to be in force in such portions of Baltimore County as shall, under the provisions of this Act, be annexed to and made part of Baltimore City, and all provisions of the Public Local Laws of Maryland relating to Anne Arundel County, except as hereinafter otherwise provided, shall cease to be in force in such portions of Anne Arundel County as shall, under the provisions of this Act, be annexed to and made part of Baltimore City. But nothing herein or elsewhere in this Act, shall affect the power of the Mayor and City Council of Baltimore to amend or repeal any ordinance existing at the date of the passage of this Act. Any reference herein to existing laws shall be understood to include any amendment or amendments which may be made to such laws at any time hereafter."

Nerdlinger case, 131.

The question has also been brought up as to the doctrine of of the additional servitude. The C. & P. Telephone Co. and any other company using poles in Baltimore City or in the new annex cannot raise this question. This is a matter upon which only the owner of the fee can recover. This fact has been well settled in two cases in Maryland.

When a dedication is made the owner of the fee in the street gives the municipality the right to use the street for any purpose that would be of benefit to the public. In Vol. 9, of the City