

Commission shall institute condemnation proceedings in the manner prescribed by the provisions of Article 33A of the Annotated Code of Public General Laws. It is the intention of this Act to provide that such property and rights of way, in an emergency, in the discretion of the Commission, be condemned after construction of the highway has been commenced as well as prior thereto, although so far as possible all rights of way shall be acquired or contracted for before any route is definitely located. This Act to apply only to acquisition of property by the State Roads Commission.

SEC. 2. *And be it further enacted*, That this Act shall take effect on June 1, 1941.

Approved April 28, 1941.

---

#### CHAPTER 607.

(Senate Bill 521)

AN ACT to propose an amendment to Article III of the Constitution of the State of Maryland title "Legislative Department" by adding a new section to be known as Section 40B, providing for the taking of property by the State Roads Commission under certain circumstances; and to provide for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

SECTION 1. *Be it enacted by the General Assembly of Maryland* (three-fifths of all the members elected to each of the two Houses concurring), That the following new Section be and the same is hereby proposed as an amendment to Article III, title "Legislative Department" of the Constitution of the State of Maryland, the same to be inserted after Section 40A and to be numbered 40B, and if adopted by the legal and qualified voters of the State, as herein provided, said section shall become a part of Article III of the Constitution of Maryland.

40B. The General Assembly shall enact no law authorizing private property to be taken for public use without just compensation, to be agreed upon between the parties or awarded by a jury, being first paid or tendered to the party entitled to such compensation, except that where such property in the judgment of the State Roads Com-