

1 results. She opened it and out of the box flew all of
2 the evils that are on man.

3 The only thing that stayed in the box was hope.
4 That is about the state of Maryland if the word "damaged"
5 is left in this section.

6 From the time that eminent domain proceedings
7 have started there has been the requirement that there
8 be a physical taking or at least a touching of the part
9 of the land which is involved before a taking is compen-
10 sible.

11 I have never so much as done a title for the
12 state's Road Commission of Maryland and I do not so much
13 as represent a utility which has any condemning powers.

14 There are provisions of this kind in about
15 25 states. In those states there has been a great body
16 of law built up which restricts the definition of
17 "damages". There is no such body of law in Maryland. The
18 question of damages is open to every kind of a construc-
19 tion that 24 different circuits in this state can put on
20 it and the Court of Appeals, and when you combine it
21 with the abolition of the doctrine of immunity of the