

1 without it being physically taken and what this concept
2 does is recognize that a property can be damaged and can
3 be damaged without it being physically taken.

4 Now, the implementation lies with the legisla-
5 ture and with the courts but I read to you the other
6 night, and I would like to read it again, the basic con-
7 cept of what damages we are talking about and this comes
8 from the eminent authority Nichols on Eminent Domain.

9 Delegate Gilchrist said all kinds of cases
10 will develop. All of the states that have gone into this
11 said this offers an orderly method of compensation for
12 the property owners who are particularly damaged.

13 Damage is a physical disturbance of a right,
14 either public or private which the owner of a parcel of
15 land enjoys in connection with his property or which gives
16 it additional value and that by reason of such distur-
17 bance he has sustained a special damage with respect to
18 his property in excess of that sustained by the public
19 generally.

20 This was submitted to the City of Baltimore,
21 ~~Asis~~stant Solicitor. There was a great deal of