

various municipal corporations within Cecil County, where in the judgment of and upon a finding by the governing body of said municipal corporation that there is immediate need therefor for right of way for municipal roads, streets and extension of municipal water and sewage facilities, the governing body may provide that such property may be taken immediately upon payment therefor to the owner or owners thereof, or into court, such amount as a licensed real estate broker appointed by the particular governing body shall estimate to be a fair market value of such property, provided that the municipal corporation shall secure the payment of any further sum that subsequently may be awarded by a jury. This section 40A shall not apply in Montgomery County or any of the various municipal corporations within Cecil County, if the property actually to be taken includes a building or buildings.

**SEC. 40B.**<sup>64</sup> 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 Commission is needed by the State for highway purposes, the General Assembly may provide that such property may be taken immediately upon payment therefor to the owner or owners thereof by said State Roads Commission, or into Court, such amount as said State Roads Commission shall estimate to be of the fair value of said property, provided such legislation also requires the payment of any further sum that may subsequently be awarded by a jury.

**SEC. 40C.**<sup>65</sup> 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, located in Prince George's County in this State, is in the judgment of the Washington Suburban Sanitary Commission needed for water supply, sewerage and drainage systems to be extended or constructed by the said Commission, the General Assembly may provide that such property, except any building or buildings may be taken immediately upon payment therefor by the condemning authority to the owner or owners thereof or into the Court to the use of the person or persons entitled thereto, such amount as the condemning authority shall estimate to be the fair value of said property, provided such legislation requires that the condemning authority's estimate be not less than the appraised value of the property being taken as evaluated by at least one qualified appraiser, whose qualifications have been accepted by a Court of Record of this State, and also requires the payment of any further sum that may subsequently be awarded by a jury, and provided such legislation limits the condemning authority's utilization of the acquisition procedures specified in this section to occasions where it has acquired or is acquiring by purchase or other proce-

dures one-half or more of the several takings of land or interests in land necessary for any given water supply, sewerage or drainage extension or construction project.

**SEC. 40D.**<sup>66</sup> Vacant.

**SEC. 41.**<sup>67</sup> Vacant.

**SEC. 42.**<sup>68</sup> Vacant.

**SEC. 43.** The property of the wife shall be protected from the debts of her husband.

**SEC. 44.**<sup>69</sup> Laws shall be passed by the General Assembly, to protect from execution a reasonable amount of the property of the debtor.

**SEC. 45.**<sup>70</sup> The General Assembly shall provide a simple and uniform system of charges in the offices of Clerks of Courts and Registers of Wills, in the Counties of this State and the City of Baltimore, and for the collection thereof; provided, the amount of compensation to any of the said officers in the various Counties and in the City of Baltimore shall be such as may be prescribed by law.

**SEC. 46.** The General Assembly shall have power to receive from the United States, any grant, or donation of land, money, or securities for any purpose designated by the United States, and shall administer, or distribute the same according to the conditions of the said grant.

**SEC. 47.**<sup>71</sup> Vacant.

**SEC. 48.**<sup>72</sup> Corporations may be formed under general laws, but shall not be created by Special Act, except for municipal purposes and except in cases where no general laws exist, providing for the creation of corporations of the same general character, as the corporation proposed to be created; and any act of incorporation passed in violation of this section shall be void. All charters granted, or adopted in pursuance of this section, and all charters heretofore granted and created, subject to repeal or modification, may be altered, from time to time, or be repealed; Provided, nothing herein contained shall be construed to extend to Banks, or the incorporation thereof. The General Assembly shall not alter or amend the charter, of any corporation existing at the time of the adoption of this Article, or pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall surrender all claim to exemption from taxation or from the repeal or modification of its charter, and that such corporation shall thereafter hold its char-

<sup>66</sup> Repealed by Chapter 683, Acts of 1977, ratified November 7, 1978.

<sup>67</sup> Repealed by Chapter 681, Acts of 1977, ratified November 7, 1978.

<sup>68</sup> Transferred to Article I, sec. 7, by Chapter 681, Acts of 1977, ratified November 7, 1978.

<sup>69</sup> Thus amended by Chapter 549, Acts of 1976, ratified November 2, 1976.

<sup>70</sup> Thus amended by Chapter 509, Acts of 1941, ratified November 3, 1942.

<sup>71</sup> Transferred to Article I, sec. 8, by Chapter 681, Acts of 1977, ratified November 7, 1978.

<sup>72</sup> Thus amended by Chapter 195, Acts of 1890, ratified November 3, 1891.

<sup>64</sup> Added by Chapter 607, Acts of 1941, ratified November 3, 1942.

<sup>65</sup> Added by Chapter 781, Acts of 1965, ratified November 8, 1966.