

visions of said Act of 1906 shall be obligatory upon, and not discretionary with, the Mayor and City Council of Baltimore and the Board of Estimates, and the price to be charged for new rights, franchises and easements similar to those condemned, shall be the same as the amount of the condemnation award.

Power of Commission to select route, secure property, etc. Decision of Commission as to property needed not subject to judicial review; exception. Land-owners have no right to interfere with construction of public road by the Commission unless it affects some personal or property right. *Murphy v. State Roads Commn.*, 159 Md. 7.

This section referred to in construing sec. 25. *Dunne v. State*, 162 Md. 274.

1929, ch. 125. 1931, ch. 539, sec. 4.

4. In all proceedings in which the State Roads Commission seeks to obtain property by condemnation under Sections 203 to 209, inclusive, or Sections 331 to 337, inclusive, of Article 23 of the Annotated Code of Maryland (Edition of 1924), where any owner or owners is or are not known, it shall be lawful to describe such owner or owners as the unknown owner or owners, or the unknown heir or heirs of a deceased owner, and notice shall be given to such unknown persons by publication as notice is provided for in the case of non-residents in Section 204 of Article 23 of the Annotated Code of Maryland (Edition of 1924); and when such notice is given by publication, it shall have the same effect as if the said unknown owner or owners had personally appeared and answered in the said condemnation proceedings.

An. Code, 1924, art. 91, sec. 29. 1912, art. 91, sec. 35. 1908, ch. 141, sec. 32C.
1931, ch. 539, sec. 5.

5. If the State Roads Commission shall determine that the public necessity, or convenience, or that the purposes of this Article require that any turnpike, or part thereof, whether maintained as such by any turnpike company or otherwise, or whether formerly maintained as such and now abandoned by any turnpike company, or that any public road in whole or in part in any county or counties, and forming a section of a through route or continuous thoroughfare between two or more important points in the State, should be taken charge of by said commission for the State for the purposes of this Article, then, as to such public road or abandoned or acquired turnpike, whether acquired by purchase or condemnation, the said commission shall file a certified copy of the plan thereof in the office of the county commissioners for the county or the several counties in which said section or sections of road or turnpike may be situated, and setting forth its purpose to acquire and to take over the same, and said commission thereupon without any further procedure, shall acquire and take over any such and all county roads, turnpikes or sections thereof or interests or rights therein, as in its judgment may be necessary or proper for the purpose of this Article, and with full power to widen, relocate, change or alter the grade or location thereof; and said commission shall