

## CHAPTER 345.

(House Bill 358)

AN ACT to repeal and re-enact, with amendments, Sections 11 and 13 of Article 33A of Flack's Annotated Code of the Public General Laws of Maryland (1939 Edition), entitled "Eminent Domain", so as to provide for the form of a verdict and judgment and for paying the amount thereof into Court where there is an unknown owner, or heirs of an unknown owner, in proceedings for the condemnation of lands.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 11 and 13 of Article 33A of Flack's Annotated Code of the Public General Laws of Maryland (1939 Edition), be, and the same are hereby repealed and re-enacted, with amendments, to read as follows:

11. Any verdict rendered by said jury may be excepted to within the time allowed by the rules of Court in other civil cases; or within the time of said rules of Court, either party may file a motion for a new trial, or in arrest of judgment, or make any other proper motion applicable to such case as in ordinary civil cases, and said motion shall be heard and disposed of by the Court as speedily as reasonably possible.

Upon any such exceptions or motions, if the Court shall set aside the verdict of the jury, it shall forthwith within the time hereinbefore provided, set a new day for the trial of the same, and upon said day so set, said Court shall proceed with the selection of a jury as aforesaid, and a new trial of the case, in all respects as hereinbefore provided, and so on until a final verdict in said case is obtained.

Upon any such verdict becoming final, if the same shall be for the defendant, upon the right to condemn, the Court shall forthwith enter a judgment in said case for the defendant with costs, but if said verdict shall be for the petitioner on the right to condemn and assessing damages to the defendants, the said Court upon said verdict shall forthwith enter a judgment in favor of each defendant against the petitioner for the amount of damages or compensation awarded to each of said defendants by the verdict of said jury and his proper proportion of the costs; provided, also, if said verdict shall be for the petitioner on the right to condemn and assessing damages to the defendants, but the defendants, or some of the defendants, are unknown owners, or the unknown heirs of a deceased owner, then the jury, by its verdict, shall assess damages to all the defendants found to be entitled to the same and not to each of them, and the Court upon said verdict shall forthwith enter a judgment in favor of all the defendants found to be so en-