

*the provisions of this sub-title are repealed to the extent of such inconsistency.*

*411U. If any word, phrase, clause, sentence, part or parts, or sections of this sub-title shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of the sub-title or of all other sections thereof. The General Assembly declares that it would have passed the remaining parts of this sub-title or any section thereof if it had known the word, phrase, clause, sentence, part or parts, or sections would be declared unconstitutional.*

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1961.

Approved April 24, 1961.

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CHAPTER 451

(House Bill 347)

AN ACT to repeal and re-enact, with amendments, Section 58 of Article 77 of the Annotated Code of Maryland (1957 Edition), title "Public Education", sub-title "Eminent Domain", to ~~increase the limitation on the power of the county boards of education to acquire lands by purchase or condemnation for school purposes for thirty to forty-five acres~~ REMOVE THE LIMITATION ON THE POWER OF THE COUNTY BOARDS OF EDUCATION, TO CONDEMN LANDS FOR SCHOOL PURPOSES INCREASE FROM 30 TO 45 ACRES THE LIMITATION ON THE POWER OF THE COUNTY BOARDS OF EDUCATION TO ACQUIRE LAND BY CONDEMNATION FOR SCHOOL PURPOSES.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 58 of Article 77 of the Annotated Code of Maryland (1957 Edition), title "Public Education", sub-title "Eminent Domain", be and it is hereby repealed and re-enacted with amendments to read as follows:

58. When land shall be required for the site of a schoolhouse, or for enlarging a schoolhouse lot, or for playgrounds or other school purposes, and the county board of education shall for any cause be unable to contract with the owner or owners thereof upon what they deem to be a fair valuation thereof, the county board of education may institute proceedings for the acquisition of such lands, in accordance with Article 33A of the Annotated Code, BUT NO LOT SO TAKEN OR ENLARGED SHALL EXCEED, IN THE WHOLE, 45 ACRES, INCLUDING THE LAND OCCUPIED BY THE SCHOOL

**EXPLANATION:** *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.