

or condemnation. Any such property acquired by condemnation proceedings shall be so acquired under the provisions of Title 12 of THE REAL PROPERTY Article [21] and Article 89B of [this] THE Code. If the property is acquired by condemnation, the question of necessity is a matter of law and shall be determined by the court, and the court may take and hear testimony on the question. The question of just compensation shall be determined by the court, with or without a jury, as provided by statute and the rules of court.

SECTION 12. AND BE IT FURTHER ENACTED, That Sections 5 and 49(a) of Article 96 - United States, of the Annotated Code of Maryland (1964 Replacement Volume and 1973 Supplement) be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Article 96 - United States

5.

Whenever the United States are desirous of purchasing or procuring the title to any tract, piece or parcel of land within the boundaries or limits of this State, for the purpose of erecting thereon any lighthouse, beacon light, range light, lightkeeper's dwelling, forts, magazines, arsenals, dockyards, buoys, public piers, or necessary public buildings or improvements connected therewith, and cannot agree with the owner thereof as to the price and for the purpose thereof; or if the owner be feme covert, under age, non compos mentis, or out of the county wherein the said land lies, or for any other cause is incapable of making a perfect title to said lands, the United States, by any agent authorized under the hand and seal of any member of the President's cabinet, may apply by petition in writing to the circuit court for the county where the land lies to have the said land condemned for the use and benefit of the United States; and any such agent of the United States may, for the purpose of ascertaining its bounds and quantity, enter upon the lands, without injury thereto, which the United States may desire to purchase for any of the purposes aforesaid. The condemnation proceedings hereunder shall be conducted in accordance with Title 12 of THE REAL PROPERTY Article [21] of [this] THE Code.

49.

(a) Any county or municipality of the State of Maryland, in addition to the powers which it may now have, shall have the power and is hereby authorized to:

(1) Aid, assist, participate and cooperate with the United States or any agency thereof in constructing,