

shall be stricken off by said Sheriff, and the Sheriff shall qualify the remaining jurors, either by oath or affirmation, as the case may be, justly, truly and impartially to value such damages as may be sustained by the owner or owners of such land by reason of such road passing through the same, and make true inquisition and return of the amount of such damages, taking into consideration the advantages and disadvantages, if any, which may be sustained by the owner or owners of said land, under their hands and seals, to the Justice who issued the warrant, and that the said finding and decision of the said jurors shall be returned by the said Justice of the Peace to the Circuit Court for Howard county aforesaid, and unless good and sufficient cause shall be shown against the said inquisition, it shall be affirmed by said Court at the term next succeeding said return, but if said inquisition should be set aside the said Court may, in its discretion, as often as may be necessary, direct another inquisition to be taken, as is hereinbefore described: *provided*, that it shall not be lawful without the consent of the owner or owners to condemn any line for said road which shall pass through the buildings, yards or gardens of such owner or owners.

Proviso.

At liberty to
take possession
of Land.

Sec. 7. *And be it enacted*, That on the payment or tender of payment to the owner or owners of land so condemned, of the amount of damages which may have been assessed by said inquisition, after the same shall have been confirmed by said Court, the said Company shall be at liberty to take possession of said land, and construct said road thereon, and do such other acts therein as may be lawfully done. And the said Company is also empowered to erect and make and keep in repair all such bridges or culverts, as may be thought necessary, so as not to obstruct however the free current of streams or water courses.

When completed.

Sec. 8. *And be it enacted*, That so soon as the said Company shall have perfected the said road from Ellicotts Mills to Elysville, they shall give notice thereof to the Governor of this State, who shall thereupon forthwith nominate and appoint three skillful and judicious persons to view and examine the same and report to him in writing