

Damage.

his agent, and four others by the person or persons interested in said land, or his, her or their agent, or in the absence of or refusal to strike off the four jurors as aforesaid by the parties interested, his, her or their agent, then four shall be stricken off by the 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 Baltimore 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.

Proffer payment.

Sec. 10. *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 the 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.

Sec. 11. *And be it enacted*, That if the said Company, after the said road is completed, shall