

Public notice. been caused by such change, to the owner or owners of the lands upon which such road was heretofore constructed, to be ascertained and paid or deposited as aforesaid; but no damages shall be allowed, unless claimed within thirty days after actual notice of such intended change shall be given to such owner or owners, if residing on the premises, or sixty days' notice by publication in some newspaper in general circulation in the county, if non-resident; *provided*, that when any condemnation shall have been made and confirmed under this or preceding sections, the said condemnation shall be finally binding upon the Company, unless within thirty days they elect to abandon said location.

Terms and conditions. Proviso. Not to Pass through Baltimore.

Sec. 12. *And be it enacted*, That if it shall be necessary, in the location of any part of any railroad, to occupy any road, street, alley or public way, or ground of any kind, or any part thereof, it shall be competent for the municipal or other corporation or public officer or public authorities, owning or having charge thereof, and the Railroad Company to agree upon the manner and upon the terms and conditions upon which the same may be used or occupied; and if said parties shall be unable to agree thereon, and it shall be necessary in the judgment of the Directors of such railroad company to use or occupy such road, street, alley, or other public way or ground, such company may appropriate so much of the same as may be necessary for the purposes of such road, in the same manner and upon the same terms as is provided for the appropriation of the property of individuals by the tenth Section of this Act; *provided*, that every railroad company laying down any such track or tracks, upon any such public street, road, alley or other public ground, shall be responsible for injuries done to private property by such location, lying upon or near to such public ground, which may be recovered by civil action brought by the owner or owners, at any time within two years from the completion of such track or tracks before the proper Court, *and provided* that no railroad company shall be allowed to pass through the City of Baltimore without the consent of the municipal authorities.