

CHAP. 288. the said sheriff shall administer to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the damages which the owner or owners will sustain by the use or occupation of the same, required by the company; and the jury, in estimating such damages, shall take into the estimate, the benefit resulting to the said owner or owners, from conducting such rail road, through, along, or near to the property of said owner or owners, but only in extinguishment of the claim for damages; and the said jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by said sheriff to the clerk of his county, and by such clerk, filed in his court, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shown; and when confirmed shall be recorded by said clerk, at the expense of said company, or owner or owners of property, as the court may award; but if set aside, the said court may direct another inquisition to be taken in the manner above prescribed, and such inquisition shall describe the property taken, or the bounds of the land condemned, and the quantity of duration of the interest in the same, valued for the company, and such valuation, when paid or tendered to the owner or owners of said property, or his, her, or their legal representatives, shall entitle the said company to the estate and interest in the same thus valued, as fully as if it had been conveyed by the owner or owners of the same; and the valuation, if not received when tendered, may at any time thereafter be received from the company, without costs by the said owner or owners, or his, her or their legal representative or representatives, and every juror shall be entitled to one dollar per day, while in attendance, and the sheriff to his regular fees as for similar services; *Provided always*, That no timber shall be cut on any land, other than the bed of the Rail-road company, by order of the said Rail-road company, or taken by them for the use of the said road, without the consent of the owner.

Rule of estimating

Return required.

Expenses of inquest.

Description required.

On payment,

Title vested,

Proviso.

Authority to bargain with turnpike or bridge companies.

Sec. 14. *And be it enacted*, That if it shall be necessary for the said Baltimore and Port Deposit Rail Road company, in the selection of the route or construction of the road by them to be laid out and constructed, or any part of it, to connect the same with, or to use any turnpike road or bridge, made or erected by any company or persons, incorporated or authorised by any law of this state, it shall be lawful for the said president and directors, or a majority of them, and they are hereby authorised to contract and agree with any other such corporation or persons, for the right to use such road or bridge, or for the transfer of any