

mit such forfeiture, or recover such instalments on such terms as they may deem proper.

Power to
construct
road.

Proviso.

Jury of in-
quisition.

Proceed to
occupy and
possess.

SEC. 6. *And be it enacted,* That the company hereby incorporated shall have power to make and construct a continuous turnpike road from the abutment of Gwin's Falls or Harmon's bridge, in Baltimore county, to the northermost abutment of Sweetser's bridge, in Baltimore county, over the bed of the public road leading from Baltimore city to the city of Annapolis, over said two bridges: which said road-bed the said company is hereby authorized to use, and of which not less than fifteen feet shall be a substantially made road of stone, gravel, shells or other hard substance, provided that the said company hereby incorporated shall have the power to widen the limits of said road to sixty feet; and whenever the said company shall determine to widen said road, and it becomes necessary to occupy new ground or use new materials, and the consent of the owner or owners thereof cannot be obtained, a jury shall be summoned by the sheriff of Baltimore county, upon a warrant of a justice of the peace of Baltimore county for that purpose, to be issued upon the application of said company, to condemn said land and materials and assess the damage, in which assessment the benefits or advantages, if any, of the widening of said road, shall be considered by the jury, and the inquisition thereupon taken shall be signed by the said sheriff and jury, and be returned by said sheriff to the Circuit Court for Baltimore county; and unless good cause be shown against said inquisition of jury, it shall be confirmed by said court at the term next after the return of said inquisition, and be recorded; and upon the payment or tender of payment of the damages assessed by said inquisition, said company shall proceed to occupy and possess the land so condemned for widening said road; but if the said inquisition shall be set aside, the said court may, in its discretion, as often as it may be necessary, direct another or other inquisition in the manner above described.

SEC. 7. *And be it enacted,* That whenever said road shall be completed, or any one mile thereof, the