

the peace to the Circuit Court for Frederick 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 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.

Direct another inquisition.

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 said 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.

Tender of payment.

At liberty to take possession.

SEC. 8. *And be it enacted,* That so soon as said company shall have perfected the said road from Unionville to the intersection of the Union Bridge turnpike road, at the point aforesaid, by making an artificial bed of stone not less than eighteen feet wide, to be covered not less than ten inches in depth with stone not more than three inches in any diameter; 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 whether the said road is so far executed in a masterly and workmanlike manner, according to the true intent and meaning of this act, and if there report shall be in the affirmative then the Governor shall by license under his hand and the seal of the State permit and suffer the said company to erect and place such and so many gates upon and across said road as will be necessary and sufficient to collect the tolls and duties granted to said company by

Perfected the road.

Give notice to the Governor.

Erect and place gates

Collect tolls.