

ascertained and paid, or deposited as aforesaid as required by section eight of this article; 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.

Time to claim damages.

SEC. 10. *And be it enacted*, That if it shall be necessary in the location of any part of said railway 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 said railway 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 railway 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 purpose 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 eighth section of this act.

To agree upon terms

Appropriation.

SEC. 11. *And be it enacted*, That it shall be lawful for said railway company, whenever it may be necessary in the construction of such road, to cross any road or stream of water, to divert the same from its present location, bed or grade, but said corporation shall without unnecessary delay place such road or stream in such condition as not to impair its former usefulness; and provided such corporation shall be liable for damages caused by such diversion of any stream. And said railroad company shall be empowered to construct its road across the road of the Maryland and Pennsylvania Line Railroad Company at any points in Baltimore county at, above or

Cross road or stream.

Construct above or below grade.