

and determine the compensation which ought to be justly made by said company to the party or parties owning or interested in the real estate or other property appraised by them, and in determining the amount of such compensation, the jury shall not make an allowance or deduction on account of any real or supposed benefits which the parties in interest may derive from

Notice to be given.

the construction of said rail road or rail roads; and the said company shall give notice to all persons whose interests are to be effected by the condemnation of any land, in writing, or by an advertisement in a newspaper published in the town of Cumberland, for at least three weeks successively, of the time and place of holding such inquisition; the said jury shall reduce the inquisition to writing, shall sign and seal the same, and it shall be returned by the said sheriff to the clerk of the circuit court of Allegany county, and by said clerk filed in his office, and shall be confirmed by the said circuit court at its next session, if no sufficient cause to the contrary be shown, and when confirmed, shall be recorded by the said clerk, at the expense of

Inquisition to be reduced to writing and to be recorded by clerk of Circuit court.

If set aside, court may direct another inquisition.

the said company, 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, the bounds of the land condemned, and the quantity or duration of interest in the same, condemned for the company, and such valuation when paid into court, or paid or tendered to the owner or owners of the said property, or to his, her or their legal representatives, and not before, shall entitle the said company to the estate, use and interest, 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 recovered from

Proviso.

the said company without cost, by the said owner or owners, his, her or their legal representatives; *Provided*, that any company, now or hereafter to be incorporated, shall have the privilege of connecting a lateral rail road with the main rail road or rail roads hereby authorised to be constructed, subject to reasonable regulations of the said company, and the payment of such tolls, as they may impose, not exceeding three cents per ton per mile, on all goods, merchandize and other property, and not exceeding two cents per mile for every passenger transported thereon; and that the said company be and they are hereby required to transport on said road or roads, all coal or other property, of every description, which may be brought to the established depots of said rail road or rail roads, for transportation, under the restrictions above stated.