

that the jury cannot agree after being kept together as aforesaid, the sheriff shall discharge the said jury, and without any further warrant from a justice of the peace, shall, within five days thereafter, summon another jury of twenty inhabitants as aforesaid not upon the former jury, and the same proceedings shall be had in all respects as hereinbefore provided, and in case of a second or other disagreement of the jury, the same proceedings shall be had until a verdict or inquisition shall be made and returned and confirmed as aforesaid.

Disagreement  
—how settled.

SECTION 10. *And be it enacted*, That whenever said Maryland Central Railroad shall find it necessary, for the purpose of avoiding annoyance to public travel or dangerous or difficult curves or grades, or unsafe, or unsubstantial grounds, or foundations, or for other reasonable causes to change the location or grade of any portion of their road, whether heretofore made or hereafter to be made, such railroad company shall be and is hereby authorized to make such changes of grade and location, not departing from the general route hereinbefore described; and for the purpose of making any such change in the location and grades of such road as aforesaid, such company shall have all the rights, powers and privileges to enter upon and take and appropriate such lands and make necessary surveys to effect such changes and grades, upon the same terms, and be subject to the same obligations, rules and regulations as are prescribed by law, and shall also be liable in damages when any have been caused by such change, to the owner or owners of the lands upon which said road heretofore is constructed, to be 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 of 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.

Change loca-  
tion.

Rights and  
powers.

Liable in dam-  
ages.