

Inquisition
to be reduced
to writing, &c.

minister to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the damages and benefits which the owner or owners of said land will sustain, by the use or occupation of the same by the said company, and in the estimation of damages sustained, due regard should be had to the advantage which the owner or owners will have, by reason of the construction and completion of the aforesaid improvements, and in all and every instance, the advantages are to be taken and considered as an offset to damages; and the jury shall reduce their inquisition to writing, shall sign and seal the same, and it shall then be returned by the Sheriff to the Clerk of the Circuit Court of Baltimore county, and by the said clerk filed in his court, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk; but if set aside, the same court may direct another inquisition to take place in the manner before described, whose decision shall be returned as before directed, and such valuation, when paid or tendered to the owner or owners of said property, or his or her legal representative, shall entitle the said company to the estate and interest on the same thus valued as fully as if it had been conveyed by the owner or owners of the same; *provided*, that no private property shall be taken by said company for the use of said road, without just compensation as agreed upon by the parties, or awarded by the jury, being first paid or tendered to the party entitled to such compensation.

Proviso.

Tolls.

Sec. 9. *And be it enacted*, That on the completion of said railway or any section of two miles thereof, it shall and may be lawful for the said company to charge for passengers at the rate of five cents per mile, per passenger, and for toll on said gravel road such tolls as are now or may be allowed by law to the several turnpike roads in Baltimore county.

Forfeit for
injury.

Sec. 10. *And be it enacted*, That if any person or persons shall wilfully break, injure or destroy the railroad or any property belonging to the said company, or shall in any manner obstruct the free passage along the said road, he, she or they shall forfeit and pay to the said company three times the actual damages so sustained, to be sued for and re-