

CHAP. 85. inquisition to be taken in the manner above described; *and provided, also*, that it shall not be lawful without the consent of the owner or owners to condemn any line for the construction of said railway, which shall pass through the buildings, yard, gardens, lawns or orchard of any person or persons.

Proviso.  
Possession  
of land.

SEC. 2 *And be it enacted*, That upon the payment or tender of payment to the owner or owners of land so condemned of the amount of damages that may have been assessed by such inquisition after the same shall have been confirmed by the said Courts, the said company shall be at liberty to take possession of said land, and to construct thereon upon such grade as they may deem expedient, their said railway and put the same in operation and do all things that may be lawfully done for that purpose.

In force.

SEC. 3. *And be it enacted*, That this law shall take effect from and after its passage.

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## CHAPTER 85.

Passed Aug. 2, 1861. AN ACT to authorize the Council of Mount Zion Church in Washington county, to dispose of certain real estate.

Preamble. WHEREAS, a congregation of Christians known as German and English Lutherans have for some time past had, and enjoyed certain real estate situated in Washington county, Maryland, which they acquired under and by virtue of the last will and testament of a certain Thomas M. Hogg, and also by virtue of a certain contract with one Zacharias Claggett, on which real estate at considerable cost have erected a church, a school house and have laid off a place of burial; *and whereas*, since said erection and improvements on said real estate the persons so constituting