

be necessary, may order another inquisition to be taken, which shall in like manner be subject to the approval of the court; and such inquisition shall describe the property or land condemned; and the estate or quantity of interest in the same valued for said company; and such valuation, when paid or tendered to the owner or owners of the property, or person or persons whose estate or interest may be condemned, or to his or their heirs or assigns, shall entitle the said company to the use of said land or other property for or during the estate or interest condemned, as if the same had been conveyed according to law to the said company by the owner or owners of said land, or the person or persons interested as aforesaid; and the said valuation, if not received when tendered, may afterwards be demanded and received by the party entitled thereto from said company without interest; and if no person be found in Baltimore county competent and authorized to receive said damages, or if divers persons be interested therein, or if there be a controversy between the persons claiming to be entitled thereto, the said Baltimore and Liberty Turnpike Company may pay the same into the said court for the use of the persons entitled; and the said court shall thereupon take such course as it may deem appropriate for the apportionment or payment thereof; and such payment into court shall have the same effect as a payment into the very hands of the parties to whom said damages shall belong.

May construct  
railway.

Sec. 7. *Be it enacted*, That the said Baltimore and Liberty Turnpike Company shall have power to construct a railway, with the necessary sidings and switches, upon any road used by them as a turnpike road, (always reserving a portion thereof, not less than sixteen and a-half feet in width, for the ordinary purpose of a turnpike road,) and the same to use for the conveyance of passengers in cars drawn by horses, receiving such fare, not exceeding five cents per mile, for every passenger, as said company may establish; and shall also have power to assign to other parties the right to construct and use such railway for such consideration, and upon such terms and conditions as the President and Directors of said Baltimore and Liberty Turnpike Company may agree upon or prescribe.