

CHAP. 74.

Inquisition directed

persons either by oath or affirmation, as the case may be, justly, truly and impartially, to value the damages which may be sustained by the owner or owners of said land, and make true inquisition and return of the amount of damages, taking into consideration the advantages and disadvantages, if any, which may be sustained by the owner or owners of said land, under their hands and seals, and the hand and seal of the sheriff, to the clerk of Allegany county court; and unless good cause be shown against the said inquisition, it shall be affirmed by the said county court, and recorded; but if the said inquisition should be set aside, or if from any cause no inquisition shall be returned to such court within a reasonable time, the said court may, at its discretion, as often as may be necessary, direct another inquisition to be taken in the manner above prescribed; and upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and the quality and duration of the estate, in the same required by said company for its use; *provided nevertheless*, that no such inquisition shall be taken unless previous notice of the time and place of taking the same, shall be given to the person or persons interested in the lands about to be condemned, by personal service of such notice on him or them, or by leaving such notice at his or their place of abode, or by inserting the same for three successive weeks in some newspaper published in Cumberland; *provided*, that the said turnpike road shall not pass through the house, yard, grist mill, or saw mill, of any person, or any other tenement, or orchard, or garden.

Notice required

Provide

Authority to make, &c.

Sec. 7. *And be it enacted*, That upon the President and Directors paying to the owners of the said land, the sum so awarded by the jurors aforesaid, as the case may be, they shall have power to cut, dig, and make the Turnpike road aforesaid, through such land in the same manner as if the consent of the owner had been given thereto; and that the said President and Directors be empowered to erect and make bridges and viaducts over all such streams or water courses as may be thought necessary, for the benefit of said Turnpike road, so as not to obstruct the free current of said streams or water courses, nor in such manner as to in-