

city, nor connected with the parties, to meet on the premises to be condemned, on some day to be fixed in said warrant, and not less than twenty days from the date thereof, and the said jurors or any twelve of them being so summoned, or such tali-men as may be necessary, if twelve do not attend, being convened on the premises in question, shall be sworn by the sheriff aforesaid, faithfully and truly to assess the damages sustained by the owner or owners of said land or materials, by reason of the construction of said road, or their appropriation thereto, without prejudice or partiality to either of the parties, and to consider, if any, the advantages of said road especially accruing from its location through the lands of such owner in their estimate of said damages, and the inquisition of said jurors having been signed and sealed by said sheriff and jurors, shall be returned to the next county court to be ratified and confirmed or quashed, and it shall and may be lawful for the said company or the owners of said land to object to the said inquisition, for excess or inadequacy of damages, and for the county court aforesaid to confirm or reject the said inquisition, as to it may seem proper; *provided always*, that the said Rail Road Company shall not occupy and use the said lands further than to survey and locate their said road, before the purchase or condemnation money is paid or tendered, and if either party shall object to the inquisition, it shall be lawful for the company after condemnation to proceed to construct their said works, upon giving bond with security, to be approved by the judge or justice aforesaid, or by any one of the judges of Washington county court, to pay or satisfy such damages as may be assessed, and costs of the caveat, if the inquisition be quashed at the instance of the owner or owners of said land or materials, or the damages then ascertained, and costs of inquisition, exclusive of costs of caveat if the inquisition be confirmed, upon being caveated by the owner or owners aforesaid.

SEC. 4. *And be it enacted*, That the said company shall have and be entitled to the like rights privileges and immunities granted to and enjoyed by the Baltimore and Ohio Rail Road Company, in the location, construction, and use of its road, except as hereinbefore

Provided:

Right of location, and other privileges