

CHAP. 145. sustained by the owner or owners of said land, and make true inquisition and return of the amount of the damages, taking into consideration the advantages and disadvantages, if any, which may be sustained by the owner or owners of said lands, under their hands and seals, and the seal of the sheriff to the clerk of the Circuit court of Allegany county, and unless good cause be shown against such inquisition, the same shall be affirmed by the said Circuit 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 may be necessary direct another inquisition to be taken in the manner hereinbefore prescribed and upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the lands by them valued, and the quality and duration of the estate in the same required by the 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, her or them, or by leaving such notice at his, her or their abode, or by inserting the same for three successive weeks in some newspaper printed in the city of 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, orchard or garden.

Provisos.

Turnpike
road, bridges,
viaducts, &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 construct the turnpike road aforesaid through such land, in the same manner as if the consent of the owners had been given thereto; and that the president and directors be empowered to erect and make bridges and viaducts over all such streams and water courses as may be deemed 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 interfere with the working of any mine of coal, iron or other mineral.