

CHAP. 164. tially, to value the damages which may be sustained by the owner or owners of said land, or material required by said company, and the said jury, in estimating the damages aforesaid, supposed to be sustained by the owner or owners of the land, required for the construction of said road, shall take into the estimate the benefit resulting to said owner or owners, for conducting said road through or along the land of such owner or owners, but only in extinguishment of the claim for damages, and the said jury shall reduce their verdict to writing, in the shape of an inquisition, and sign and seal the same, and it shall then be returned by the said sheriff to the clerk of the Circuit court for Baltimore county, to be by him recorded, and either party shall have the right to appeal from the verdict of said jury to the next Circuit court of the county, and the said damages shall be paid by the said company into the hands of said sheriff, for the person or persons to whom the same is awarded, before said company shall proceed to make use of said land, for the purpose of said road, or to remove said materials, as the case may be ; *Provided, however,* that said company shall have full power to enter upon and survey the land, if necessary, as preliminary to such condemnation, and the justice, sheriff and clerk shall be entitled to receive the same fees for services under this act, as they are allowed in similar cases, and the persons summoned as jurors shall receive two dollars per day during their attendance, which fees and allowance shall be paid by said company.

Notice to be given non-residents.

SEC. 11. *And be it enacted,* That in case the owner or owners of any land through which the said road is required to pass cannot be found or ascertained, or may be non-residents of the State, the president shall in such cases give notice of the intention of said company to condemn said land and materials by advertisements in some newspaper published in Baltimore county, giving at least three weeks notice of such intention, and after expiration of which notice they may proceed in the manner prescribed in the last preceding section of this act.

Toll-gates and tolls.

SEC. 12. *And be it enacted,* That when said road is finished and perfected to the Pimlico Meeting House in the manner prescribed in the ninth section of this act, the said company shall be autho-