

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 of 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 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 required 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 one dollar per day during their attendance, which fees and allowance shall be paid by said company, and the said company or its agents shall have power to remove said materials required for the road as aforesaid across any lands not in meadow or in grain, upon paying to the owner or owners thereof a reasonable compensation, to be ascertained as aforesaid by a jury, in case the privilege cannot be obtained by agreement.

SEC. 12. *And be it enacted*, That in case the owner or owners of any of the land, through which 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 advertisement in some newspaper published in Baltimore county, giving at least three weeks notice of such intention, and after the expiration of which notice they may proceed in the manner prescribed in the tenth section of this act.

SEC. 13. *And be it enacted*, That whenever said road shall have been completed from its northern terminus to the northern line of the property of Lloyd N. Rogers, and from the northern line of the avenue of the City of Baltimore, to the southern line of said Lloyd N. Rogers' property, then and not till then, shall said road be opened

Proviso.

In case owners cannot be found notice to be given.

Road to be opened.