

posed benefits which the parties may derive from the construction of any rail road or rail roads, and the said company shall give notice to all persons whose interest are to be affected by the condemnation of any land, in writing, or by advertisement in a newspaper, published in the City of Cumberland, for at least three weeks successively, of the time and place of holding such inquisition; the said jury shall reduce the inquisition to writing, shall sign and seal the same, and it shall be returned by the said sheriff to the clerk of the Circuit Court for Allegany county, and be by said clerk filed in his office, and shall be confirmed by the said Circuit Court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk at the expense of said company, but if set aside, the said court may direct another inquisition to be taken in the manner above prescribed, and such inquisition shall describe the property taken, the bounds of the land condemned and the quantity or duration of interest in the same condemned for said company, and such valuation when paid into court, or paid or tendered to the owner or owners of said property, or to his, her or their legal representatives, and not before, shall entitle the said company to the estate, use and interest thus valued as freely as if it had been conveyed by the owner or owners of the same, and the valuation if not received when tendered, may at any time thereafter be recovered from said company without cost, by the said owner or owners, his, her or their legal representatives; *Provided*, that any company now or hereafter to be incorporated, shall have the privilege of connecting a lateral rail road with the main rail road or rail roads hereby authorised to be constructed, subject to reasonable regulations of said company, and the payment of such tolls as they may impose, not exceeding three cents per ton per mile on all goods, merchandise and other property, and not exceeding two cents per mile for every passenger transported thereon; and that the said company be, and they are hereby required to transport on the said road or roads, all coal or other property of every description which may be brought to the established

**Proviso.**

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