

struction, working, use and repair of a railroad from some suitable point in or near the city of Baltimore, and thence within one mile of the town of Upper Marlboro', in Prince George's county, and as near to said town within the limits of that distance as may be practicable; and by or near the town of Port Tobacco, in Charles county, to a point on the Potomac river, to be selected by the President and Directors of the said company hereby incorporated, not higher up than Liverpool Point, and not lower down than the mouth of Saint Mary's river, with such branches at any point of said railroad, not exceeding twenty miles in length, as the said President and Directors may determine. The said road, when completed, not to be more than sixty-six feet wide, except at or near its depots and stations, where the width may be made greater, with as many tracks as the President and Directors may deem necessary; and the said President and Directors may cause to be made, or may contract with others for making said railroad, or any part of it; and they and their agents, or those with whom they may contract, or their agents may enter upon, and use and excavate any lands which may be wanted for the site of the said road, or the erection of warehouses or other works necessary for the said road, or for its construction and repair; and that they may build bridges, fix scales and weights, lay rails, may take and use earth, gravel, stone, timber, or other materials which may be needed for the construction and repair of the said road, or any of its works, and may make and construct all works whatever, which may be necessary and expedient, in order to the proper completion and maintenance of the said road. And they may make, or cause to be made, lateral railways in any direction whatever from the said railroad, and for the construction, repair, and maintenance thereof, shall have all the rights and powers hereby given in order to the construction and repair of the said principal railroad, and may also own and employ steamboats or other vessels to connect the said railroad or railroads with other points by water communication: *Provided*, Nothing herein contained shall be construed to authorize the said company to take private property for their use without the compensation agreed upon by the company and the owners thereof, or awarded by a jury, as hereinafter provided, being first paid or tendered to the party entitled to receive such compensation.

*President and Directors may agree with Owners of Land which may be wanted.*

SEC. 13. *And be it enacted*, That the said President and Directors, or their agent or agents authorized by them, may agree with the owner or owner of any land, earth or materials, or any improvements which may be wanted for the