

dividing the States of Maryland and Delaware, and thence to connect with the Delaware Railroad or with any of the branches of the said road by such route or routes, and at such point or points as may be secured by charter from the Legislature of the State of Delaware; and also to locate and construct lateral branches from said railroad to any point or points in said counties which may be deemed by said company needful and eligible; and the said company are also hereby authorized to extend the said railroad from the terminus in Queen Anne's county, and located by the said company, so as to connect with the Maryland and Delaware Railroad, or with any of the branches of the said road, by such route or routes, and at such point or points, as may be hereafter selected and determined upon by the said company; and for all such purposes to enter upon any land necessary for locating, laying out, or making the said road, branches or extensions, or any part thereof, or to procure land, gravel, earth, wood or timber, for such use, and to obtain the right and title to the same, as hereinafter provided; *provided always*, that no timber shall be cut on any land other than the bed of the railroad company, or taken by them for the use of the said road without the consent of the owner.

Proviso.

May agree
with the owner
of any land,
&c.

Sec. 13. *And be it enacted*, That the President and Directors of the said company, or their agent or agents authorized by them, may agree with the owner or owners of any land, earth, materials, or any improvements which may be needed for the construction or repair of the said road or roads, or any of their works, for the purchase or use and occupation of the same; and if they cannot agree, or if the owner or owners, or any of them, be an infant, *feme covert*, or *non compos mentis*, or out of the county where such property may be needed, application may be made to any Justice of the Peace, of such county, who shall thereupon issue his warrant, under his hand and seal, to the Sheriff of said county, requiring him to summon a jury of twenty men, residents of said county, not related to the parties, nor in anywise interested, to meet on the lands or near the materials or other property needed, on a day named in said warrant, not less than ten, nor