

same powers to enforce the collection of the said tolls as are given to other Turnpike Companies in this State.

May purchase and hold land.

Sec. 12. *And be it enacted*, That the said Company may purchase and hold, use and occupy for the purpose of each gate keepers house, a parcel of land not exceeding two acres in extent contiguous to the line of said road, and at such points as they may select for such gates and if they cannot agree with the owner or owners of such adjoining land, or if the owner be absent from the county or incompetent to convey such land, then the said Company may procure the same to be condemned as provided in the next succeeding Section.

In case of disagreement--how to proceed.

Sec. 13. *And be it enacted*, That if the said Company shall not be able to agree with the owner or owners of any land over or through whose land the said road may be made, or whose lands may be wanted by the said Company for a site for a toll keepers house, or for the taking of stone, gravel, earth or other material for the making of, and keeping said road in repair, or if the owner or owners be absent from the county, or incompetent to contract, any Justice of the Peace upon application of the Company shall issue his warrant to the Sheriff of the county, directing him to summon twenty disinterested persons qualified as jurors to meet at the place where the land sought to be condemned lies, four of whom may be stricken off the panel by the said Company or their agent, and four by the person or persons interested, or their agent, or in the absence or the refusal of either, by the Sheriff, and the said Sheriff shall qualify the remaining twelve, either by oath or affirmation justly, truly and impartially to value the damages if any which will be sustained by the owner or owners of such land, by reason of the condemnation of such land, the said jurors taking into consideration the advantages and disadvantages the said turnpike road may be to the owner or owners of said land, and the said jury shall reduce their inquisition to writing and sign and seal the same, and the Sheriff shall return the same to the Clerk of the Circuit Court for the county, to be filed among the records of the Court and the same shall be confirmed by the Court at its next