

Sec. 7. *And be it enacted*, that the said company are authorized to make a rail road from a point at or near the Head of Sassafra, joining, if they shall think fit, with the Kent County Rail Road through Cecil County, by way of or near Warwick to the Delaware State line, so as to unite at said line with and to a branch road in the State of Delaware, of the Delaware Rail Road, joining the same at or near Middletown, or some other proper point.

Location of road.

Sec. 8. *And be it enacted*, That the President and Directors of said company may agree with the owner or owners of any lands, earth, timber, gravel or other material for the construction or repair of said road and its works; for the purchase or use and occupation of the same, and in case they cannot agree, or if the owner or owners or any of them be feme covert, under age, non compos mentis, or out of the State, on application to a Justice of the Peace of Cecil county, he shall issue his warrant, under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, without any regard to their political opinions, and not related to the owner or owners, nor in any wise interested in the premises, nor who shall have solicited to be placed on said jury, nor individually nor collectively been suggested to the said sheriff by any person or persons, of all which the said sheriff shall make oath or affirmation to be filed with the said warrant and the subsequent inquisition, to meet on the land to be valued, on a day to be specified in said warrant, not less than ten nor more than thirty days after issuing the same, and in case the said jurors do not attend, the said sheriff shall instantly summon as many as with those in attendance will make up the number of twenty, in accordance with the previous provisions of this section, as to said jurors; and from them each party, his agent or attorney, may strike off four jurors, or if said parties, their agent or attorney, be absent, or neglect or refuse to act, the sheriff shall strike off four persons jurors for each of said parties so neglecting or refusing, and the remaining twelve shall act as the jury of inquest of damages, to each of which ju-

Purchase of materials, &c.