

Company, and of reasonable proof of ownership therein for that purpose, and may have authority to fix the amount of toll to be paid by persons using or passing along said road; provided, that the rates shall not be more than those specified for the Baltimore and Fredericktown Turnpike Company, in the Act of eighteen hundred and four, Chapter fifty-one, section twenty.

Sec. 6. *And be it enacted*, That the President and Directors so to be chosen, be and they are hereby authorized and empowered to cut and dig and make a turnpike road, properly paved with stone, between the said places herein named, not to exceed sixty feet in width, with the necessary slopes, of which eighteen feet shall be an artificial road, and to be so graded that in no case shall it exceed seven degrees; the said Company to use, if deemed by them expedient, the bed of the present county roads between the said places, with power however to deviate therefrom in whole or in part, wherever the said Company may deem such deviation necessary or judicious, the President and Directors first obtaining in writing the consent of the owners of such land over which the said road shall pass; or if such consent cannot be had, and the said Company deem it necessary to pass through the said land for the said road, then the President and Directors, on behalf of the Company, shall apply to a Justice of the Peace for said county, who shall thereupon issue his warrant, directed to the Sheriff of the county, commanding him to summon twenty disinterested persons, qualified to serve as jurors in the Circuit Court for the county in which the land lies, to meet on the said land at the proper time as directed by said Sheriff, giving at least five days' notice to the parties interested, or their agents, and after four of the jurors so summoned are stricken off the panel by the said President or his agent, and four others by the person or persons interested in said land, or his or her agent, or in the absence of or refusal to strike off, four shall be stricken off by said Sheriff and the Sheriff shall qualify the remaining jurors either by oath or affirmation as the case may be, justly, truly and impartially to value such damages as may be sustained by the owner or owners of such land by

Width of road.

Condemn.

Jurors.