

Survey route. the purpose of surveying the route of said road, or any branch hereinafter authorized, may enter upon and pass through any private property without injury to said premises, and that the said President, Directors, or their agent or agents authorized by them, may agree with the owner or owners of any land, earth, gravel, stone, timber and other material, or any improvements which may be wanted for the construction and repairs of any said 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 any of the owners is a *feme covert*, *non compos mentis*, or out of the county where such property wanted may lie, when such property may be wanted, application may be made to any Justice of the Peace of this State, in and for such county, who shall thereupon issue his warrant under his hand and seal to the sheriff of such county, requiring him to summon a jury of twenty of the inhabitants of said county, who are land-owners, not related to the parties or in any wise interested, to meet on the land or near the earth or other property wanted, on a day named in said warrant, not less than ten nor more than twenty days after issuing the same, and if at said time and place any of said jurors do not attend, the said sheriff shall immediately summon as many persons similarly qualified as together with those in attendance will furnish a panel of twenty jurors, and from them each party, his, her or their agents or attorney may strike off four persons, and in the event of the absence or refusal of either party to strike the sheriff shall strike four persons for said party, and the remaining twelve shall act as a jury of inquest of damages; and to each of said twelve, before he acts as juror, the sheriff shall administer an oath or affirmation, that he will justly and impartially value the damages which the owner or owners will sustain by the use or occupation of the same by said Company, and the benefits to accrue therefrom, as a set-off to the damages that may be adjudged by them, and the said jury shall reduce their inquisition to writing, and sign and seal the same, and it shall be returned by the Sheriff to the Clerk of the Circuit Court for his county, and be filed by the said Clerk in his office, and shall be confirmed

Condemn.

Sheriff to summons.

Oath.

Inquisition to be filed.