

Width of road tion of such road, branches and works shall not exceed along the main line or branches generally sixty-six feet in width, besides the necessary spaces for slopes, and twenty acres at either terminus of the main line or a branch, and ten acres at any intermediate station.

Condemn. Sec. 14. *And be it enacted*, That if the corporation cannot agree with the owner for the purchase, use or occupation of land, gravel, earth, timber, or other material required for the construction, enlargement or repair of any of its works, or if the owner be a married woman, infant, *non compos mentis*, or out of the State, the corporation may apply to a Justice of the Peace of the county in which such property is situated, and he shall issue his warrant to the sheriff of the county, requiring him to summon a jury to meet on the land at a day therein specified, and being not more than ten nor less than five days thereafter.

Sheriff to summons. Sec. 15. *And be it enacted*, That the said Sheriff shall accordingly summon eighteen disinterested men not related to either party, and if any of them do not attend he may call or summon others immediately to make up the number of eighteen ; each party shall have a right in person or by agent or attorney, if present at the time, to strike off three, and the Sheriff shall strike off such as shall not be so stricken off by the parties until the number shall be reduced to twelve, who shall be a jury.

Oath of jury. Benefit and advantages. Sec. 16. *And be it enacted*, That the Sheriff shall then administer an oath or affirmation to every person of the jury that he will impartially and to the best of his skill and judgment value the land or other property required for the use of the corporation, and also, if it be land required for the construction of the road and work, the damage which the owner will sustain, if any, by the taking of the land for such use, and the jury, in estimating such damage, shall take into consideration the benefit and advantage resulting to the said owner from the construction of such railroad through or along the property of said owner, but the benefit or advantage shall not be considered beyond the extinguishment of the damage ; the jury shall accordingly inquire of such value and damage, and make report thereof in writing, to be signed by