

roads, or either of them, and any other public road or roads, whenever the lines of said railway may intersect the same; *provided*, that in case the consent of any owner or owners of any ground to be occupied cannot be obtained, that the President and Directors of said company may agree with the owners of land, for the purchase and occupation of the land required for the said road, and also for the purchase of stone, gravel, earth and timber required in the construction thereof, and in all cases where they are unable to agree with such owner or owners, or where he, she or they shall be a *feme covert*, infant, or *non compos mentis*, the said President, upon giving notice in writing of not less than twenty days, to the parties interested, may apply to a Justice of the Peace of Baltimore County, who shall thereupon issue his warrant to the Sheriff of said county, commanding him to summon twenty disinterested persons, who shall be freeholders and qualified to act as jurors in the Circuit Court of said county, to meet upon the land, and after four of the jurors so summoned are stricken off the panel by the President of the said company or his agent, and four others by the person or persons interested in said land, or his, her or their agent, or, in the absence or refusal to strike off, of such person or persons or their agents, four to be stricken off by the Sheriff; the said Sheriff shall qualify the twelve remaining jurors, either by oath or affirmation, as the case may be, justly, truly and impartially to value the damages which may be sustained by the owner or owners of said land or materials required by said company; and the said jury, in estimating the damages aforesaid supposed to be sustained by the owner or owners of the land required for the construction of said road, shall take into the estimate the benefits resulting to the said owner or owners, but only in the extinguishment of the claim for damages; and the said jury shall reduce their verdict to writing, in the shape of an inquisition, and sign and seal the same, and it shall then be retained by the Sheriff, and returned by him to the Clerk of the Circuit Court of Baltimore County, and unless good and sufficient cause shall be shown against the said inquisition, it shall be affirmed by the said Court at the term next succeeding the return of the said inquisition; but

Sheriff to
summon jury.

Continue to
summon.

Verdict of
jury.