

Authorized
to make turn-
pike road.

Proviso.

May cond'mn
land.

Damages.

Inquisition to
be returned.

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, dig and make a turnpike road not less than thirty feet nor more than fifty feet in width, of which not less than fourteen feet shall be an artificial road of stone or gravel or other hard substance; *provided* that the said company shall have the right to use, if deemed by them expedient or necessary, any of the beds of the present county roads between the City of Westminster and Bird Hill, with power, however, to deviate therefrom in whole or in part. Whenever the said company may deem such deviation necessary or judicious, the said 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 the 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, land owners, qualified to serve as jurors in the Circuit Court, 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 President, his agent or attorney, 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 twelve 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 reason of such road passing through the same, and make true inquisition and return of the amount of such damages, taking into consideration the advantages and disadvantages, if any, which may be sustained by the owner or owners of said lands, under their hands and seals, to the Justice who issued the warrant; and that the said finding and decision of the said jurors shall be forthwith