

compos mentis, or out of the state or county of Washington, CHAP. 267. the president of the said company, or any person authorised by him for that purpose, shall apply to a justice of the peace of Washington county, which justice of the peace shall thereupon issue his warrant, directed to the sheriff of said county, commanding him to summon twelve disinterested persons, qualified to serve as jurors in the county court of said county, to meet at the place where the said land may be, and the said sheriff shall qualify the said persons by oath or affirmation, (as the case may be,) justly and impartially to value the damages which may be sustained by the owner or owners of the land through which the said road may pass in consequence thereof, and the said persons shall, after valuing the damages, return a statement in writing of the valuation so made, and a plat of such land as they may deem necessary for the use and purposes of the said company, certified under their hands and seals to be a correct statement and plat in conformity to the provisions of this supplement, to the clerk of the county court of Washington county aforesaid, to be by him recorded, a copy of which certified under the hand and seal of the office of the said clerk, shall be evidence of any rights, titles or interests acquired by the provisions of this supplement, if the owner or owners of the land so valued shall not be under legal disability to receive the amount of said valuation, and give receipt therefor, the president and managers shall either immediately after said valuation pay the amount thereof to such owner or owners, or to such person as may be authorised by him, her or them to receive the same, or shall pay the same immediately therefor, and they are not authorised to open said road until the payment of the same; if application is made by and payment withheld from such owner or owners or authorised agent, and if such owner or owners be under any legal disability, then the president and managers shall enter into bond, <sup>Bond</sup> conditioned for the payment of the damages assessed, to the person or persons who may be duly authorised to receive the same, and shall lodge said bond in the office of the clerk of the county aforesaid, to be by him recorded, and upon such bond or office copy thereof, suit or suits may be instituted against the obligors therein named, by any person or persons entitled to receive such damage; and upon the payment of the damages valued as herein before mentioned, or securing the payment of the same, as provid-