

Lateral
railways

be made lateral railways in any direction whatever, from the said railroad, and for the construction, working, use, repair, and maintenance thereof, shall have and use all the rights and powers hereby given, in order to the construction, working, use, repair, and maintenance of the said principal railroad; and may also own and employ steamboats or other vessels to connect said railroad or railroads with other points by water communication; provided, nothing herein contained shall be construed to authorize said company to take private property for its use without the compensation agreed upon by the company and the owners thereof, or awarded by a jury, as hereinafter provided, being first paid or tendered to the party or parties entitled to receive such compensation.

Amended and
re-enacted

SEC. 2. *And be it enacted*, That the thirteenth section of the said act be and the same is hereby amended and re-enacted so as to read as follows:

May agree
with the owner

13. The said President and Directors or their agent or agents authorized by them, may agree with the owner or owners of any land, earth, gravel, stone, timber, ways, streams or materials, or any improvements or other property of any kind or description which may be wanted for the proper construction or repair of any of said roads, or of any of their works, for the purchase or use and occupation of the same, or for the diversion thereof, as the case may be; and if they cannot agree, or if the owner or owners, or any of them be an infant, *feme covert*, *non compos mentis*, or out of the county or city, where such property wanted may lie, when such property may be wanted, or for any other cause be incapable of contracting, or if for any other cause, the said company be unable to obtain or find it inconvenient to obtain by contract or agreement any of such property so required, or the use and occupation of the same, application may be made by the said company to any justice of the peace of such county or city, as the case may be, who shall thereupon issue his warrant under his hand and seal to the sheriff of the county or city, as the case may be, requiring him to summon a jury of twenty of the inhabitants of said county or city, above the age of twenty-one years, not related to the parties nor in anywise interested, to meet on the lands or near the materials or other property

And if they
cannot agree

Summon jury.