

habitants as aforesaid, who were not upon the former jury, and the same proceedings shall be had thereupon in all respects, as is hereinbefore provided; and in case of a second or other disagreement of the jury, the same proceedings shall be had until an inquisition shall be agreed upon, made and returned as aforesaid; and the said company shall have the right at any stage of the proceedings, under any such warrant as aforesaid, to dismiss the said proceedings thereunder; and after dismissing the same, the said company may, at any time, apply for and obtain another warrant from a justice of the peace, under which the same course of proceedings may be had as aforesaid, as fully as if the former warrant had not been issued; and—

Second disagreement

WHEREAS, the said company has been duly organized under its said charter, and the work of construction of said road has been commenced, but it is feared, that from unavoidable delays, either in obtaining the right of way for the said railroad, or from other causes, the said company may be prevented from completing the said road in its full extent within the time limited by the said charter, and further time is desired for the completion thereof; therefore—

Preamble.

SEC. 3. *Be it enacted*, That if the said road shall not be finished in five years from the first day of January, eighteen hundred and seventy, then the said act, and this and all other amendments thereto, shall be null and void, and that the nineteenth section of the said act be and the same is hereby repealed.

Shall be finished

SEC. 4. *And be it enacted*, That whenever, in the construction of the said road or roads, the said company shall find it necessary or expedient to change the site of any portion of any public road, it shall cause the same to be constructed at its own proper cost and expense, on another location to be selected by and under the authority of the County Commissioners of the county, or if the said County Commissioners shall fail to make such selection within thirty days after being requested to do so by the company, then on such location as may be selected by the said company, and in as perfect a manner as the original road; provided, the damages, if any incurred in

Necessary or expedient to charge