

CHAP. 321. regulations, and be subject to the same fines, penalties and restrictions, as the said companies now are, where the same are not inconsistent with the provisions of this act.

Mode of estimating  
damages

SEC. 13. *And be it enacted,* That in all cases where damages are claimed by the owner or owners of land through which the turnpike road, which the company incorporated by this act is authorised to make, may pass, the president and managers of said company, or a majority of them, or any person authorised by them, may agree with the owner or owners of such land for such damages as may be sustained by him, her or them, by the said road passing through the same, or with the owner or owners of the land on which the same may be, for the purchase of said land, and in case of no agreement being made, or in case the owner shall be a feme covert, under age, or non compos mentis, or out of the State or county of Washington, 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 said land may lie, 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 act, 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 act, if the owner or owners of the land so

Jurors

Return statement