

by action of debt, or the directors may sell the stock so unpaid at public auction for the installment then due thereon, first giving thirty days' public notice of the time and place of sale in some newspaper in general circulation in the county where such delinquent stockholders reside at the time of making such subscription or becoming such assignee or transferee, or of his actual residence at the time of said sale; or if such stockholder reside out of the State, such publication shall be made in the county where the principal office of the company is located; and if residue of money shall remain after paying the amount due on said stock, the same shall on demand be paid over to the owner; if the whole of said installment be not paid by such sale, the remainder shall be recoverable by an action of debt against the subscriber, assignee or transferee.

Give public notice.

Recoverable by action of debt.

SEC. 8. *And be it enacted*, That the board of directors of said company, or a majority of them or their agents, may agree with the owner or owners of any lands, earth, timber, gravel or other material or any improvement for the construction or repair of any part of said road or its works, for the purchase or use or occupation of the same, and in case they cannot agree, or if the owner or owners, or any of them, be a *feme covert*, minor, or *non compos mentis*, or out of the county in which the property wanted may be, or where such land and material may be needed, on application to a justice of the peace of such county, he shall issue his warrant under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, not related to the owners nor in any wise interested in the premises, to meet on the land to be valued on a day to be specified in said warrant, not less than ten nor more than thirty days after issuing the same, and in case any of the jurors aforesaid do not attend, he, the said sheriff, shall instanter summon as many jurors as may be necessary with the jurors in attendance, to furnish a panel of twenty jurors in attendance, and from such panel each party, his, her or their agent, or attorney, may strike four persons, and if either be not present in person, or by agent, or attorney, or being so present shall refuse to strike as aforesaid, the sheriff may

Agree with owner or owners.

Issue warrant

Summons jurors.