

Provisoos.

times and places as they deem expedient, open books of subscription therefor, and receive payment for the same, in money or in land, the price or value of the land to be fixed by agreement between the parties authorised to open books of subscription, and the subscriber or subscribers for the shares of stock, and the president and directors, for the time being, may from time to time increase the capital stock, as such increase may in their opinion become necessary; *Provided*, the same shall at no time exceed thirty thousand shares, over and above the estimated value of the lands of the company; and the shares of the said company shall be deemed and held to be personal property, and assignable on the books of the company, or transferred in such manner as the by-laws may direct; *And provided further*, that the lands held by the said company in payment for subscriptions or by purchase as aforesaid, shall at no time exceed sixty thousand acres; *And provided further*, that the lands held by the said company in payment for subscriptions, or by purchase as aforesaid, shall be all lying and being in Allegany county.

Right and power to construct railway &c.

SEC. 4. *And be it enacted*, That the said company shall have the right and power to lay out, construct and keep in repair, such railway or railways as they may deem expedient for the purpose of this corporation, within the limits of Allegany county, and may construct and keep in repair any railway or railways required to connect their lands, mills, mines and manufactories with the Baltimore and Ohio rail road; and the said company shall have the right, if they cannot agree with the owners of any land, earth, gravel, stone, or materials wanted for the construction or repairs of their roads, for the purchase, use or occupation of the same, or if the owner or owners, or any of them be a feme covert, under age, non compos mentis, or out of the county, application may be made to any justice of the peace for Allegany county, who shall thereupon 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 parties nor in anywise interested, to meet on the land or near to the other property or materials to be valued, on a day named in said warrant, not less than ten nor more than twenty days after the issuing of the same, and if at the same time and place any of said jurors should not attend, the sheriff shall immediately summon as many jurors as may be necessary, with those in attendance, to furnish a panel of twenty jurors, and from them each party, or his, her or

Jury of inquest to value lands.