

als on days appointed for that purpose or from voters on days of election, going to or returning from the polls.

President and directors may agree with owners of lands which may be wanted.

In case of disagreement, sheriff to summon jury of inquest.

Oath.

Inquisition to be returned to clerk of Circuit court, and by him recorded.

SEC. 7. *And be it enacted*, That it shall be lawful for said president and directors, or a majority of them to agree with the owner or owners of any land on which it is intended to construct said road, or other works, appurtenant to said road for the purchase thereof, and in case of disagreement or in case the owner or owners thereof shall be a feme covert, under age or out of the county, on application to a justice of the peace of the county in which such lands lies, the said justice of the peace shall issue his warrant under his hand, to the sheriff of the county to summon a jury of eighteen inhabitants of his county, not related to the owner or owners of said land, nor in any manner interested to meet on said land at a day to be expressed in the warrant not less than ten nor more than twenty days thereafter, and the sheriff on receiving said warrant, shall forthwith summon said jury, and when met shall administer an oath or affirmation as the case may be to every jury man who shall appear, being not less than twelve in number, that he will faithfully, justly and impartially value the land required by the company, and assess the damages the owner thereof will sustain by making the road through such land or the partial or temporary occupation or use of such lands, according to the best of his skill and judgment, and that in such valuation he will not spare any person for favor or affection, nor any person grieve from malice or ill-will; and the inquisition thereupon taken shall be signed by the sheriff and said jury, and be returned by the sheriff to the clerk of his county to be by him recorded, and upon every such valuation the jury is hereby directed to describe the bounds of the land by them valued, and the nature of the estate acquired by the company in the same, and shall be paid for by the president and directors to the owners of the land or his or her legal representatives, and on payment thereof or deposit of the same in either of the banks of Allegany county under the order of the circuit court for the county in which said land may lie, to the credit of the person or persons entitled thereto, the said company shall be seized of such lands as of an absolute estate in perpetuity, or with such less quantity and duration of interest or estate in the same or subject to such partial or temporary estate or appropriation, use or occupation as shall be required and described as aforesaid, as if conveyed by the owner or owners to them, and whenever in the construction of said road or of any of the