

and authority to appoint, and at their pleasure dismiss such clerk, treasurer, engineer or engineers, and such other agents as they may deem expedient, and to fix their compensation, and to agree with any person or persons on behalf of the said company, to cut said canal, erect dams, open feeders, construct locks and such other works as they shall judge necessary or expedient for completing said canal, and to repair and keep the same in order.

SEC. 6. *And be it enacted*, That when any vacancy or vacancies shall occur in the board of directors of said company, by death, resignation or otherwise, the remaining directors shall choose others in their stead from the stockholders of said company, who shall continue in office until the next general election of directors.

Vacancy—
how filled.

SEC. 7. *And be it enacted*, That it shall, and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase or use and occupation thereof, and in case of disagreement, or in case the owner thereof shall be a feme covert, under age, non compos mentis or out of the State or county, on application to a justice of the peace of the county in which such land shall be, 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 parties, nor in any manner interested, to meet on the land to be valued, at a day to be expressed in the warrant, not less than ten, nor more than twenty days thereafter, and the sheriff, upon receiving the said warrant shall forthwith summon the said jury, and when met shall administer an oath or affirmation to every jurymen who shall appear, being not less than twelve in number, that he will faithfully, justly and impartially value the land, and all damages the owner thereof shall sustain by cutting the canal through such land, or the partial or temporary appropriation, use or occupation of such land, according to the best of his skill and judgment, and that in such relation he will not spare any person for favor or affection, nor any person grieve for malice, hatred or ill will, and in every such valuation and assessment of damages the value and damages ascertained as aforesaid, and the inquisition thereupon taken, shall be signed by the sheriff and twelve or more of the jury, and returned by the sheriff to the clerk of his county, and unless good cause be shewn against the said inquisition it shall be affirmed by the court, and recorded; but if the said inquisition

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.