

covert, or non compos mentis, or under age, the said president may apply to a justice of the peace of the county aforesaid, who shall thereupon issue his warrant to the sheriff of the county aforesaid, commanding him to summon twenty disinterested persons, qualified to act as jurors in the circuit court, to meet upon the land; after four are stricken off the panel by the president or his agent, and four by the persons interested, or in his, her or their absence or refusal, by the said sheriff; the sheriff shall qualify the remaining twelve persons, either by oath or affirmation, as the case may be, justly, truly and impartially to value the damages which may be sustained by the owner or owners of such material or land required by such company, and the said jurors shall after valuing said damages, return the same, under their hands and seals, to the clerk of the circuit court of Frederick county, to be by him recorded; and the said damages shall be paid by the company into the hands of the sheriff of said county, for the persons mentioned in the said return respectively, before the said company shall proceed to remove the said materials, or to use the said land or said road; and the justice, sheriff and clerk shall be entitled to receive the same fees for services under this act, as they are allowed in similar cases; and the persons summoned as jurors shall receive one dollar per day during their attendance, which fees and allowance shall be paid by the said company; and the said company, or their agents, shall have power to remove said materials across any lands, not in meadow or grain, upon paying a reasonable compensation to the owner or owners, for any injury or damages to be ascertained by a jury, as above, in case it cannot be obtained by agreement.

Jury to make return to clerk of Circuit court.

Damages to be paid by company.

Fees.

Per diem of jurors.

Removal of materials.

SEC. 10. *And be it enacted*, That the said company shall cause the said road to be laid out and opened, which said road shall be as wide as the bed is on which they propose to build, and shall cause sixteen feet thereof, or any greater width they may determine, to be made an artificial road of stone or gravel, upon the plan, style, depth and level of the road leading from the Monocacy bridge to Frederick city, which they intend this road to intersect, as far as is consistent with the nature of the ground; and shall during the continuance of this corporation, maintain and keep the said road in good and perfect order and repair, during the continuance of the corporation.

Width of road

SEC. 11. *And be it enacted*, That as soon as the president and managers of the said company have perfected the said road, they shall give notice to the Governor of the State, who shall thereupon, forthwith

Notice to be given to Governor when road is perfected.