

Jury to make
return to
clerk of Cir-
cuit court.

his agent, and four stricken by the persons interested, or in his, her or their absence or refusal, by the sheriff, the said sheriff shall qualify the twelve remaining 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 materials or lands required by said company; and the said jurors shall after valuing said damages, return the same under their hands and seals to the clerk of Cecil county circuit court, to be by him recorded; and said damages shall be paid by the company to the parties entitled, or into the hand of the sheriff of said county, for the purposes mentioned in said return respectively, before the said company shall proceed to remove said materials, or to use the said land, 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 allowances shall be paid by said company; and the said company or their agent shall have power to remove said materials across any land, 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.

Per diem of
jurors.

Width of
road.

SEC. 11. *And be it enacted*, That the company shall cause the road to be laid out and opened, which said road shall not be less than thirty feet in width, between the fences, and shall occupy the full width of the road now used and claimed by the county as a public road, and shall cause said road, or a part thereof, to be graded in a proper manner, and shall cause eight feet or more of said graded portion to be made an artificial road of plank, and shall also have power to construct an additional or double track if they shall deem it proper, upon such plan, style, depth and level as the president and managers of said company shall determine; and shall during the continuance of the corporation maintain and keep the said road in good and perfect order and repair.

Erection of
gates.

SEC. 12. *And be it enacted*, That as soon as the president and managers and company shall have perfected the said road for any distance not less than two miles, and so on from time to time every additional mile progressing, they shall erect such and so many gates upon and across said road as will be necessary and sufficient to collect the tolls and duties hereinafter granted to said company, from all persons travelling on the same with horses, mules, cattle, wagons, carts and carriages, &c., as hereinafter named.