

hereby invested with all the rights and powers necessary to the construction and repair of a rail road from Baltimore city, by the most eligible route, to Hagerstown, not exceeding sixty-six feet wide, with as many sets of tracks as the said president and directors or a majority of them, may deem necessary; and they or a majority of them, may cause to be made, or contract with others for making said rail road, or any part of it, and they or their agents, or those with whom they may contract for making any part of the same, or their agents, may enter upon, and use and excavate any land which may be wanted for the site of said road, or the erection of warehouses or other works necessary to said road, or for any other purposes necessary or useful in the construction or repair of said road or its works, and that they may build bridges, may fix scales and weights, may lay rails, may take and use any earth, timber, gravel, stone or other materials, which may be wanted for the construction or repair of any part of said road or any of its works, and may make and construct all works whatsoever, which may be necessary and expedient in order to the proper completion of said road.

President and directors may agree with owners of land, &c.

SEC. 12. *And be it enacted*, That the president and directors of said company or a majority of them, or any person or persons authorised by a majority of them, may agree with the owner or owners of any land, earth, gravel, stone or other materials, or any improvements, which may be wanted for the construction or repair of any of said roads or any of their works, for the purchase

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

or use and occupation of the same; and if they cannot agree, or if the owner or owners, or any of them, be a feme covert, under age, non compos mentis, or out of the county in which the property wanted may lie, when such land or materials shall be wanted, application may be made to any justice of the peace of such county, who shall thereupon issue his warrant, under hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, not related 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 twenty days after the issuing of the same; and if at said time and place any of said jurors do not attend, the sheriff shall immediately summon as many jurors as may be necessary, with the jurors in attendance, to furnish a panel of twenty jurors in attendance, and from each party or its, his, her or their agent, if either be not present in person or by agent, the sheriff, for him, her, it or them, may strike