

company from officers and agents in the employment of said company.

Authority to
construct rail
road.

May agree
with owners
of lands which
may be want-
ed.

In case of dis-
agreement,
sheriff to sum-
mon jury of
inquest.

Jury to re-
duce inquisi-
tion to writ-
ing and to be
filed by clerk
of Circuit
court.

SEC. 6. *And be it enacted*, That the said corporation be, and it is hereby authorised to construct a rail road or rail roads from any part of its own lands to connect with any other rail road or rail roads in Allegany county or the Chesapeake and Ohio Canal, or other improvement on the Potomac river, so as thereby to secure the facilities of transporting the produce of its mines and manufactures to market; and for this purpose may agree with the owner or owners of any land, earth, quarry, timber, gravel, stone or other materials or any improvements, which may be wanted for the construction or repairs of said roads or any of their works, for the purchase 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 or non compos mentis or out of the county in which the property, other than quarries and warehouses, wanted may lie, when the same shall be wanted, application may be made to any justice of the peace of said county, who shall thereupon issue his warrant under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, not in anywise interested, to meet on the land or near the property or materials, as before described, to be valued, on a day named in said warrant, not less than ten nor more than twenty days after issuing the same, and if at the said time and place any of said jurors do not attend, the said 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 them each party or its, her or their agents, if either be not present in person or by agent, the sheriff for him, her or them may strike off four jurors, and the remaining twelve shall act as a jury of inquest of damages, and before they act as such, the sheriff shall administer to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the damages which the owner or owners will sustain by the use or occupation of the same required by the said company, and the jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by said sheriff to the clerk of the circuit court for Allegany county, and by said clerk filed in his court, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shewn, and when confirmed, shall be recorded by said clerk at the expense of said company, or owner or owners of