

crease, and open books of subscription for that purpose, may in their opinion become necessary; *Provided*,^{Provisoes.} the same shall at no time exceed thirty thousand shares over and above the estimated value of lands of the company, and the shares of the said company shall be deemed and held to be personal property, and assignable on the books of the company or transferred in such manner as the by-laws may direct; *And provided further*, that the lands held by the said company in payment for subscriptions or by purchase as aforesaid, shall at no time exceed sixty thousand acres, all lying and being in Allegany county.

SEC. 4. *And be it enacted*, That the said company shall have the right and power to lay out, construct and keep in repair such railway or railways, as they may deem expedient for the purposes of this corporation within the limits of Allegany county, and may construct and keep in repair any railway or railways required to connect their land, mills, mines and manufactories with the Baltimore and Ohio rail road; and the said company shall have the right, if they cannot agree with the owners of any land, earth, gravel, stone or materials wanted for the construction or repairs of their roads for the purchase, use or occupation of the same, or if the owner or owners or any of them be a feme covert, under age, non compos mentis, or out of the county, application may be made to any justice of the peace for Allegany 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 related to the parties nor in any wise interested, to meet on the land or near in the other property or materials to be valued on a day named in said warrant, not less than ten nor more than twenty days after the issuing of the same, and if at the same time and place any of said jurors should not attend, the sheriff shall immediately summon as many jurors as may be necessary with those in attendance to furnish a panel of twenty jurors, and from them each party or his, her or their agents, or if either be not present in person or by agent, the sheriff for him or them, may strike off four jurors, and the remaining twelve shall act as the jury of inquest of damages; and before they act as such the said 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 and occupation of the same required by the company; and if required by the parties whose lands are to be effected by their proceedings, the jury shall cause to be summoned such witnesses as the par-^{Power to construct railway}
^{Right to summon jury of inquest.}
^{Oath.}
^{Witnesses may be summoned.}