

CHAPTER 151.

AN ACT to repeal and re-enact with amendment, section one hundred and sixty-seven of Article twenty-three of the Code of Public General Laws, title "Corporations," sub-title "Railroad Companies," and to add a new Section to said Article, to be known as Section one hundred and sixty-nine A.

Repeal.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That section one hundred and sixty seven of Article twenty-three of the Code of Public General Laws, title "Corporations," sub-title, "Railroad Companies," be, and the same is hereby repealed and re-enacted with an amendment, so as to read as follows:

Purchase of land, etc., by railroad companies.

167. The said president and directors, or their agent or agents, authorized by them, may agree with the owner or owners of any land, earth, gravel, stone, timber, streams or materials, or any improvements which may be wanted for the proper construction or repair of any of said roads, or any of their works, for the purchase and use and occupation or diversion of the same; and if they cannot agree, or if the owner or owners or any of them be an infant, *feme covert*, who is not possessed of the property to her sole and separate use, or authorized to contract in reference to the same, *non compos mentis*, or out of the county where such property wanted may lie, when such property may be wanted, or for any other cause be legally incapable of contracting, application may be made by the said company to any justice of the peace of such county, who shall thereupon issue his warrant, under his hand and seal to the sheriff of the county, requiring him to summon a jury or twenty of the inhabitants of said county, above the age of twenty-one years, and qualified to act as jurors under the laws of this State, not related to the parties, nor in anywise interested, to meet on the lands or near the materials or other property wanted, on a day named in said warrant, not less than ten nor more than twenty days after issuing the same; and if at said time and place any of the said jurors summoned do not attend, the sheriff shall immediately summon as many persons similarly qualified, as together with those in attendance, shall make up twenty, and from the panel, each party, his, her, its or their agent or attorney, or if either party be not present in person or by agent, or being present in person or agent, refuse to strike, the sheriff, for him, her, it or them, may strike off

Condemnation proceedings.