

the said road, or any of its branches or any of its works, and may make and construct all such works whatsoever which may be necessary or expedient, in order to the proper completion and maintenance of the said road or of any of its branches, and to the proper, convenient and economical use thereon of steam, electricity or such other motive power or powers as the president and board of directors may from time to time deem expedient, and they may make or cause to be made lateral railways in any direction whatever from the said railroad, and for the construction, working, use, repair and maintenance thereof; and shall have and use all the rights and powers hereby given in order to the construction, working, use, repair and maintenance of the said principal railroad; and may also employ and own steamboats or other vessels to connect said railroad or railroads with other points by water communications; provided, nothing contained herein shall be construed to authorize said company to take private property for its use, without the compensation agreed upon by the company and the owners thereof; or awarded by a jury as hereinafter provided, being first paid or tendered to the party or parties entitled to receive such compensation.

SEC. 10. The said president and directors and their agent or agents authorized by them may agree with the owner or owners of any lands, earth, gravel, stone, timber, ways, streams or materials or any improvements or other property of any kind or description, which may be wanted for the proper construction or repair of any of their works, for the purchase or use and occupancy of the same or for the diversion thereof, as the case may be; and if they cannot agree, or if the owner or owners or any of them be an infant, feme covert, non compos mentis, or out of the county or city where such property wanted may lie, when such property may be wanted, or for any other cause incapable of contracting, or if for any other cause the said company be unable to obtain or find it convenient to obtain by contract or agreement, any of such property, so required, or the use and occupation of the same, application may be made by the said company to any justice of the peace of such county or city, as the case may be, who shall thereupon issue his warrant, under his hand and seal, to the sheriff of the county or city, as the case may be, requiring him to summon a jury of twenty of the inhabitants of said county or city, above the age of twenty-one years, 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

May purchase  
land, etc.

Power of con-  
demnation.