

holders shall determine it, forever thereafter esteemed and taken to be navigable as a public highway, free for the transportation of all goods, commodities and produce whatever, on payment of the tolls to be imposed by the president and directors under the power vested in them by this Act.

SEC. 6. *And be it enacted*, That so soon as any part of said work is completed and open for navigation, the said company is hereby authorized and empowered to collect tolls, and exercise as full and complete jurisdiction over the same as if the whole was completed; and the rate of tolls charged, if the same is open to public use, shall not exceed fifteen cents per ton for one passage, single trip, and not a round trip, through the entire length of said canal, from Curtis creek to Severn river. Collect tolls.

SEC. 7. *And be it enacted*, That it shall and may be lawful for the said president and directors or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase or use and occupation thereof, and in case of disagreement, or in case the owner thereof shall be a *feme covert*, under age, *non compos mentis*, or out of the State or county, on application to a justice of the peace of the county in which said land shall be, the said justice of the peace shall issue his warrant, under his hand, to the sheriff of the county to summon a venire of twenty inhabitants of the county, qualified under the laws of this State to act as jurymen, not related to the parties, nor in any manner interested, to meet on the land to be valued at a day to be expressed in the warrant, not less than ten nor more than twenty days thereafter, and the sheriff upon receiving the said warrant, shall forthwith summon the said jury, and when met, shall administer an oath or affirmation to every jurymen who shall appear and be chosen for jurymen by the company or the other parties in interest, being not less than twelve in number, that he will faithfully, justly and impartially value the land, and all damages the owner thereof shall sustain by cutting the canal through such land, or the partial or temporary appropriation, use or occupation of such land, according to the best of his skill and judgment, and that in such valuation he will not spare any person for favor or affection, nor any person wrong for malice, hatred or ill-will; and that in order to obtain said jury of twelve out of the talismen summoned, the company hereby incorporated shall have the right to strike off four names, and the party or parties whose land is being valued and condemned shall have the right to strike off four, and if either Jury of condemnation.