

scriber shall have one vote for every share of stock held by him, her or it ; *Provided, however,* that no one stockholder shall be entitled to more than one hundred votes. CHAP. 137.

SEC. 5. *And be it enacted,* That the said corporation, be and the same is hereby authorised and empowered to cut, dig and make a Turnpike road from Westernport in Allegany county to Frostburg in said county, not to exceed forty feet in width, and for this purpose shall be authorised and empowered to use, occupy and possess all or any and such portion of the present county road leading from Westernport to Frostburg, as the president and directors of said company may deem advisable or proper, and in case the said president and directors in locating the said Turnpike road shall deem it advisable to depart at any point or points from the site of the present county road, then they shall be at liberty to do so, upon obtaining a license or right of way from the owner or owners of the land which may be occupied for the purpose of making said road, and if such license or right of way cannot be obtained by consent, then the said president and directors may apply on behalf of said company to any justice of the peace for said county, who shall thereupon issue his warrant directed to the sheriff of said county, commanding him to summon twelve disinterested persons, qualified to serve as jurors in the Circuit court, to meet at the proper place on the premises to be valued, not less than ten days after the date of said warrant, and the said sheriff shall qualify the said persons either by oath or affirmation, as the case may be, justly, truly and impartially to value the damages which may be sustained by the owner or owners of said land, and make true inquisition and return of the amount of damage, taking into consideration the advantage and disadvantages, if any, which may be sustained by the owner or owners of said land, under their hands and seals, and the hand and seal of the sheriff, to the clerk of the Circuit court for Allegany county, and unless good cause be shown against the said inquisition, it shall be affirmed by the said Circuit court, and recorded ; but if the said inquisition should be set aside or if from any cause no inquisition shall be returned to such court within a reasonable time, the said court may at its discretion as often as may be necessary, direct

Authorised to make turnpike road—using county road, if desired.

If deemed advisable to depart from the county road, the company may agree with owners of land for the occupation of the same, and in case of disagreement a jury may assess damages.

Certificate of award to be filed with the clerk of Circuit court.