

constructing any such railroads or train-roads as CHAP. 342.  
 herein authorised or in addition thereto, the said  
 company may purchase, lease, hold and maintain  
 any other railroad or railroads, train or train-roads  
 or other roads, or ways, water-courses or channels of  
 transportation already constructed or hereafter to  
 be constructed with all the rights, powers and  
 franchises connected therewith.

SEC. 9. *And be it enacted,* That the company, Lands and materials for the use of the company—how obtained.  
 in locating and constructing any railroad or rail-  
 roads, train or tram road, authorised by this act,  
 shall have the right, if they cannot agree with the  
 owners of any land, earth, gravel, stone or mate-  
 rial wanted for the construction or repairs of such  
 road or roads, for the purchase, use or occupation  
 of the same; or if the owner or owners, or any of  
 them, be feme covert, under age, non compos men-  
 tis, 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 inhabi-  
 tants of said county, not related to the parties, nor  
 in any way interested, to meet on the land or near  
 to the other property or material to be valued, on  
 a day to be 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  
 the 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,  
 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 or 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 impar-  
 tially value the damages which the owner or own-  
 ers of said land, earth, gravel, stone or other mate-  
 rials will sustain by the use or occupation thereof  
 by said company, and if required by the parties  
 whose lands are to be affected by their proceedings,  
 the jury shall cause to be summoned such witnesses  
 as the party may require, and shall examine them  
 on oath in relation to the value of the property to  
 be condemned, and they shall reduce the testi-  
 mony, if any is taken by them, to writing, and if