

1847.

LAWS OF MARYLAND.

CHAP. 263.

May enter upon and occupy land after a view has been ordered.

Construct and repair roads.

Inquisition how, when and under what circumstances to be held.

the laws of this State or any of the provisions of this act.

SEC. 10. *And be it enacted,* That whensoever it shall be necessary for said company to have, use or occupy any lands, materials or other property in order to the construction or repair of any part of said road, or the works or necessary buildings, the president and directors of said company or their agents or those contracting with them for making or repairing the same may immediately take and use the same, they having first caused the property wanted to be viewed by a jury formed in the manner hereinafter prescribed, and that it shall not be necessary after such view, in order to the use or occupation of the same, to wait the issue of the proceedings upon such view; and the inquest of the jury after confirmation and after payment or tender of the valuation shall be a bar to all actions for taking or using such property, whether commenced before or after such confirmation or the payment of said valuation.

SEC. 11. *And be it enacted,* That the said president and board of directors of said company, or a majority of them, may construct and repair a rail road from Adams Landing on the Choptank river, to some other suitable point at or near Union, in Caroline county, that they may contract for the making of the said rail road, and may with their agents enter upon, use and excavate any land they may need for the site of the said road or the erection of warehouses or other works necessary to said road, and may build bridges, fix scales and weights, lay rails, take and use any earth, timber, gravel or other materials for the construction or repair of any part of said work, and may make and construct or erect all works necessary for the completion of said road.

SEC. 12. *And be it enacted,* That the president and directors of said company or a majority of them or their agents may agree with the owner or owners of any land, earth, timber, gravel or other materials, or any improvements for the construction or repair of said road or its works, for the purchase or use and occupation of the same, and in case they cannot agree, or if the owner or owners or any of them be a feme covert, under age, non compos mentis or out of the county in which the property wanted may lie, when such land or materials may be needed, on application to a justice of the peace of such county he shall issue his warrant under his hand and seal directed to the sheriff of said county requiring him to summon a jury of twenty inhabitants of said county to meet on the land to be valued on a day spe-