

PHILIP F. THOMAS, ESQUIRE, GOVERNOR. 1847.

SEC. 10. *And be it enacted*, That the president and managers of said company may agree with the owners of land for the purchase of land required for said road, also for the purchase of stone, gravel, earth and sand for said road, and in all cases where they are unable to agree with the owners or the owner should he or she be a feme covert or non compos mentis or under age, the said president may apply to a justice of either of the counties aforesaid in which the land may lie, which justice shall thereupon issue his warrant to the sheriff of the county as the case may be commanding him to summon twenty disinterested persons qualified to act as jurors in the county court to meet upon the land, after four are stricken off the pannel by the president or his agent and four by the persons interested, or in his, her or their absence or refusal, by the said sheriff, the said sheriff shall qualify the twelve remaining 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 such material or land required by such company, and the said jurors after valuing said damages return the same under their hands and seals to the clerk of Frederick or Washington county court, as the case may be, to be by him recorded, and said damages shall be paid by the company into the hands of the sheriff of the respective county for the persons mentioned in said return respectively before the said company shall proceed to remove said materials or to use the said lands or said road, and the justice, sheriff and clerk of either county, as the case may be, shall be entitled to receive the same fees for services under this act as they are allowed in similar cases, and the persons summoned as jurors shall each receive one dollar per day during their attendance, which fees and allowance shall be paid by said company, and the said company or their agents shall have power to remove said materials across any land not in meadow or grain, upon paying a reasonable compensation to the owner or owners for any injury or damages, to be ascertained by a jury as above, in case it cannot be obtained by agreement.

SEC. 11. *And be it enacted*, That the said company shall cause the said road to be laid out and opened, which said road shall not be less than thirty-eight nor more than fifty feet in width, and shall cause sixteen feet or more thereof to be made an artificial road of stone or gravel upon the plan, style, depth and level of the Frederick and Emmitsburg Turnpike Road, as

CHAP. 313.

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

How road is to  
made.