

rights, powers and authority which are necessary to enable it to locate, construct and maintain such rail road or rail roads as the directors may deem necessary for the convenient transaction of its business, beginning at or near the mines of said company, and running to such point or points in Allegany county, as will enable said company to connect the same with any other rail road, now constructed, or which may hereafter be constructed and may at any point on its own lands, or upon any other lands which it may acquire by gift, purchase or condemnation connect such rail roads with any other rail road now constructed, or to be constructed thereon, and in lieu of constructing any such rail roads as herein authorised, or in addition thereto, the said company may purchase, lease, hold and maintain any other rail road or rail 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 said company in locating and constructing any rail road or rail roads authorised by this act, shall have the right, if they cannot agree with the owners of any land, earth, gravel, stone or materials, 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 a feme covert, under age, non compos mentis, 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 inhabitants of said county, not related to the parties, nor in any wise interested, to meet on the land or near to the other property or materials to be valued, on a day 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 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 of 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 impartially value the da-

Condemnation
of land.