

CHAP 252.

Authorised
to construct
turnpike road.

Proviso.

Lands and
materials for
the use of the
company—
how obtained.

Damages.

SEC. 8. *And be it enacted*, That the said company are hereby invested with all the rights and powers necessary for the construction of a turnpike road from the centre or from any other point in the town of Liberty, to be determined by the said managers of said company, or by a majority of stockholders, to intersect the Woodsboro' and Frederick Turnpike road, at or near the Monocacy bridge, on the road leading to Frederick city; *Provided*, that the company may use the bed of the public road now leading from the town of Liberty to the said named point, at or near the said Monocacy bridge, or so much thereof as they may find necessary.

SEC. 9. *And be it enacted*, That the president and managers of said company may agree with owners of land required for said road, and also for the purchase of stone, gravel, earth, sand, or timber, for said road, and in all cases where they are unable to agree with the owner or owners, or should the said owner be a feme covert, non compos mentis, or minor, the said president may apply to a justice of the peace of the county aforesaid, who shall thereupon issue his warrant to the sheriff of the county aforesaid, commanding him to summons twenty disinterested, qualified to act as jurors in the Circuit court, to meet upon the land; after four are stricken off the panel by the president of the said company, or his agent, and four by the person interested, or in his, her or their absence or refusal, by the said sheriff; the sheriff shall qualify the remaining twelve 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 shall, after valuing said damages, return the same, under their hands and seals, to the clerk of the Circuit court of Frederick county, to be by him recorded, and the said damages shall be paid by the company into the hands of the sheriff of said county, for the persons mentioned in the said return; respectively, before the said company shall proceed to remove the said materials, or to use the said land for said road; and the justice, sheriff and clerk 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