

said, the said president and directors may elect, instead of the forfeiture aforesaid, to proceed against such subscriber in order to compel such payment, and for that purpose may prosecute such actions at law or equity as are authorised for the recovery of claims of like amount and of similar character by individual citizens.

SEC. 8. *And be it enacted*, That said president and directors or their agent or agents to be specially appointed for that purpose, may agree with the owners or proprietors of such land as said road may pass over, or with the owners or proprietors of such materials as may be necessary for constructing said road or its bridges or culverts, for the purchase of the same, and in case such purchases cannot be so made by agreement, or in case such owner or owners shall be *feme covert*, under age or non compos mentis, or out of the State or county of Allegany, on application by the president of said corporation to any one justice of the peace of the county where such land or materials may be, the said justice shall issue his warrant under his hand to the sheriff of said county, commissioning him to summon twelve men of lawful age, inhabitants of said county, not related to the said owner, nor in any manner interested, to meet on the land to be valued or where the materials may lie, as the case may be, at a day to be expressed in said warrant, of which day and place of meeting five days notice at least shall be given by said sheriff to said owner and to said president or left at the last place of their abodes respectively, and if said owner be an infant and have a guardian as aforesaid, and if said owner be a non-resident of said county, the sheriff shall give to him notice of said time and place by a publication in a newspaper published in Cumberland for at least three weeks before he shall assemble the jury hereinafter named, and the sheriff on receiving said warrant shall summon said jury, and when met shall administer an oath or affirmation to every jurymen, who shall swear or affirm as the case may require, that he will justly, faithfully and impartially value the lands or the materials, as the case may be, regard being had to all circumstances of convenience, benefit or advantage said owner may enjoy or derive from the location and improvement of said road, according to the best of his skill and judgment, and the inquisition thereupon taken shall be signed by said sheriff and at least seven of said jurors, and shall be conclusive between the parties, unless they take an appeal thereon in thirty days to the county court of Allegany, whose decision shall be final, and the

Inquisition—
how, when and
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