

Witnesses to  
be summoned.

moned such witnesses as the parties may require, and shall examine them on oath or affirmation in relation to the value of the property to be condemned, and they shall reduce the testimony to writing, and after the testimony is closed and without unnecessary delay, and after having made a fair and just comparison of the advantages and disadvantages arising from the said Rail Road, they shall estimate and determine whether any, and if any, what amount of damages has been or may be sustained by the said owner or owners respectively, and make a report accordingly, and the said jury shall reduce their inquisition to writing, shall sign and seal the same, and it shall then be returned by the said Sheriff to the Clerk of the Circuit Court of his county, and by such Clerk be filed in his Court, and shall be confirmed by said Court at its next session if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said Clerk, but if set aside, the Court may direct another inquiry to take place, in the manner before described, whose decision shall be returned as before directed, and such valuation, when paid or tendered to the owner or owners of said property, or his, her or their legal representatives, shall entitle the said Company to the estate and interest in the same thus valued as fully as if it had been conveyed by the owner or owners of the same, and said valuation if not received when tendered, may at any time be recovered from said Company by owner, or owners, his, her, or their legal representatives.

Not allowed  
to impede trav-  
el.

Sec. 16. *And be it enacted*, That whenever in the construction of said road it shall be necessary to cross or intersect any estate or way, either public or private, it shall be the duty of said President and Directors of said company so to construct said road as not to impede the passage along the same, or when it shall be necessary to pass through the land of any individual, it shall also be their duty to provide for such individual proper wagon ways across said road or roads from one part of his land to another, and whenever any road or roads may hereafter be authorized to be made by the General Assembly, when it may be necessary to cross said railroad, the company shall make or