

ascertain and determine the compensation which ought justly to be made by the said Company to the party or parties owning or interested in the real estate appraised by them, and the said Company shall give written notice to all parties or persons whose interests are to be affected by the condemnation of any lands, of the time and place of holding the inquisition at least ten days prior to the holding of such inquisition, and the jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the Sheriff to the Clerks of the Circuit Court for his county, and by such Clerk filed in that 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 at the expense of said Company; but if set aside, the said Court may direct another inquisition to take place in the mode before described, and such inquisition shall describe the property taken, or the bounds of the land condemned, and the quantity or duration of the interest in the same valued for the said Company, and such valuation, when paid or tendered to the said owner or owners of said property, or his, her or their agents or 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 the said valuation, if not received when tendered, may at any time thereafter be received from the Company without cost by the said owner or owners, his, her or their legal representatives, provided, that no private property shall be taken by said Company for the use of said road without just compensation, as agreed upon between the parties or awarded by the jury, being first paid or tendered to the party entitled to such compensation, and *provided*, that no timber of any kind shall be cut on any land other than the bed of the railroad by the Company, or taken by them or any of their agents or employees for the use of said railroad without the consent of the owners; and *provided* further, that all costs and expenses that accrue in consequence of the condemnation of any lands or materials for the use of the said railroad shall be paid by the Company.

Give written notice.

Inquisition.

Proviso.