

Testimony.

or by the said railroad Company or their agent or agents, the jury shall cause to be summoned 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 railroad, 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 report thereof accordingly ; and the said jury shall reduce their inquisition to writing and 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 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 said Court may direct another inquisition to take place in the manner above described, and such valuation when paid or tendered to the owner or owners of said property or his 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 the said valuation if not received when tendered may at any time thereafter be received from the said Company by the said owner or owners, his, her or their legal representatives.

Inquisition.

Cross roads.

Sec. 15. *And be it enacted*, That whenever, in the construction of said railroad or roads, it shall be necessary to cross or intersect any established road or way either public or private, it shall be the duty of said President and Directors of the said Company so to construct the said railroad across such established road or way as not to impede the passage or transportation of persons or property along the same, or when it shall be necessary to pass through the lands of any individual it shall be their duty to provide for such individuals 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 au-