

ceedings, the jury shall cause to be summoned such witnessess as the party may require, and shall examine them on oath, in relation to the value of the property to be condemned, and the damages to that adjoining, and they shall reduce the testimony if any is taken by them, to writing, and after the testimony is closed in each case, and without unnecessary delay, and before proceeding to the examination of any other claim, they shall 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 estates appraised by them, and the said Company shall give written notice to all parties or persons, whose interest 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 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 Clerk of the Circuit Court for his county, and by such Clerk filed in said 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 the bounds of the land condemned, and the quantity or duration of interest in the same valued for the said Company, and such valuation when paid or tendered to the owner or owners of said property, or his, hers 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

Compensation.

Inquisition.

Proviso.