

sustaining the cords or wires of such lines; *Provided*, the same shall not be so constructed as to incommode the public use of said roads and highways, or injuriously interrupt the navigation of said waters; and that this section shall not be construed to authorize the construction of any bridge across any of the waters of this State.

108. Any company incorporating under the one hundred and second section of this article, shall first obtain the written consent of any person over whose land said lines are intended to pass, or upon whose land said posts, piers or abutments are intended to be placed.

109. If such assent cannot be had, the president and directors shall apply to a justice of the peace of the county where such lands are, who shall thereupon issue his warrant directed to the sheriff of the county, commanding him to summon twelve disinterested persons qualified to serve as jurors to meet at the proper place, as directed by said justice; and the sheriff shall qualify the said persons by oath, faithfully to perform the duties required of them by the next succeeding section.

110. The said jury shall make a just and equitable appraisal of all the loss or damage that may be sustained by any person over whose lands said posts, piers or abutments are intended to be placed, and make a true return and inquisition thereof in writing, under their hands and seals.

111. The sheriff shall make return of the inquisition so found to the clerk of the Circuit Court of the county, who shall file the same, and lay it before the said court at its next session; and such inquisition shall be confirmed by said court, unless good cause be shown to the contrary,—and when confirmed, shall be recorded by the clerk at the expense of the company.

112. If any damage shall be awarded to any person by the said inquisition, the corporation shall pay the amount thereof, with costs of said appraisal, before proceeding to erect any posts, piers or abutments.

113. Any association organized under the one hundred and second section of this article may provide by the articles of their association for an increase of their capital and the number of the association.