

CHAP. 168.

Record.

Form prescribed.

Payment.

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 the said clerk, at the expense of the said company, but if set aside the said court may direct another inquisition to be taken in the manner above prescribed, and such inquisition shall describe the property taken, or the bounds of the land condemned, and the quality or duration of the interest in the same; and such valuation when paid or tendered to the owner or owners of said property, 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 the 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 representative or representatives.

Cross roads, &c protected.

Sec. 17. *And be it enacted*, That whenever in the construction of said road, it shall be necessary to cross or intersect any established road or way, in shall be the duty of the said president and directors of the said company, so to construct the said road 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 land of any individual, it also shall be their duty to provide at the expense of the company, for such individual, proper wagon ways, across said road or roads, from one part of his land to the other.

Immediate use of materials, &c, authorized

Sec. 18. *And be it enacted*, That whenever it shall be necessary for said company to have, use or occupy, any lands, materials, or other property, in order to the construction, or repair of any part of the said road, its works or necessary buildings, the said president and directors or their agents, or those contracting with them for making or repairing the same, may immediately take and use the same, they having first caused the property wanted, to be viewed by a jury, formed in the same manner herein before prescribed in those cases where the property is to be changed or altered, by admixture with other substances before such alteration is made; and that it shall not be necessary after such view, in order to the use or occupation of the same, to wait the issue of the proceedings upon such view, and the inquest of the jury, after confirmation, and after payment or tender of the valuation, shall be a bar to all actions for taking or using such property, whether commenced before or after such confirmation, or the payment of said revaluation.