

legally conveyed by the owner or owners of the same, and the valuation, if not received when tendered, may at any time thereafter, be received without costs from said company, by the owner or owners, his, her or their legal representatives; and the sheriff shall keep the said jury together for a reasonable time, until they shall agree upon and sign and seal the said inquisition; and in case it shall so happen that the jury cannot agree, after being kept together as aforesaid, the sheriff may in his discretion, discharge the said jury, and without any further warrant from a justice of the peace, shall, within five days thereafter, summon another jury of twenty inhabitants, as aforesaid, not upon the former jury, and the same proceedings shall be had in all respects, as hereinbefore provided; and in case of a second or other disagreement of the jury, the same proceedings shall be had until a verdict or inquisition shall be made and returned as aforesaid.

If jury fail to agree, sheriff to summon new jury.

232. Whenever any railroad company heretofore incorporated, or which may hereafter be incorporated, shall find it necessary for the purpose of avoiding annoyance to public travel, or dangerous or difficult curves or grades, or unsafe or unsubstantial grounds or foundations, or for other reasonable causes, to change the location or grade of any portion of their road, whether heretofore made or hereafter to be made, such railroad companies shall be, and are hereby authorized to make such changes of grade and location, not departing from the general route prescribed in the certificate of such company; and for the purpose of making any such change in the location and grades of any such road, as aforesaid, such company shall have all the rights, powers and privileges to enter upon and take and appropriate such lands, and make surveys necessary to effect such changes and grades upon the same terms, and be subject to the same obligations, rules and regulations as are prescribed by law, and shall also be liable, in damages, when any have been caused by such change, to the owner or owners of the land upon which such

Ibid. s. 11.

May change road, not departing from general route.

Damages.