

manner above prescribed; and like proceedings may be had until an inquisition in reference to said condemnation shall be confirmed.

1868, ch. 471, sec. 174.

252. Every such inquisition shall describe the property taken, or the bounds of the land condemned, and the quantity or duration of interest in the same valued for the corporation; and such valuation, when paid or tendered to the owner of said property, or his legal representative, after confirmation thereof, or when the same shall be paid into court under such regulations as the court by which the said inquisition shall have been confirmed shall prescribe, 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 of the same; and the valuation, if not received when tendered, may at any time thereafter be received from said corporation without costs by the said owner or his legal representatives; and all fees or per diem to which any sheriff, clerk, juror or other officer shall be entitled, for any service required of him under the aforesaid proceedings for condemnation, shall be paid by the corporation causing the same to be instituted.

Ibid. sec. 175.

253. Nothing herein contained shall authorize any incorporated company to take or use property without just compensation, as agreed upon with the owner, or awarded by a jury, having been first paid or tendered to the parties entitled thereto, or paid into a court, after inquisition confirmed, as provided for in the preceding section; and nothing herein contained shall authorize the location of any public road on private property without consent of the owners or the decision of the county commissioners, upon due hearing as now prescribed by law for opening or altering public roads.

1866, ch. 161.

254. Any of the corporations formed under class eleven, section 24, of this article, shall have the powers which are conferred upon telegraph companies incorporated under this article, by section 224, and may construct and lay any part of its said line or lines under ground on any route on which it is authorized to construct such lines, in whole or in part, above ground, and