

materials condemned; and the inquisition shall, in all cases, describe the property taken, or the bounds of the land condemned, and the quality or duration of the interest in the same valued for the company; and such valuation, when paid or tendered to the owner or owners of the property, his, her or their legal representatives, shall entitle the said company to the estate or interests in same thus valued as if it had been legally conveyed by the owner or owners of the same; and the valuation, if not received when tendered, may, at any time thereafter, be recorded without costs from said company, by the owner or owners, his, her or their legal representatives; and the said 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 is 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; and whenafter the said canal shall cross or pass any road or roads of what kind so ever, the said company shall build or erect, and maintain in good order, proper swing or drawbridges, or other bridges, such as are commonly used where a railroad crosses a navigable stream, over and upon said canal, so that passage over the same may not be impeded or interrupted.

May discharge jury.

Erect draw-bridges.

SEC. 8. *And be it enacted*, That nothing contained in this act shall authorize said company to take private property for their use without just compensation, as agreed upon between the parties, or ordered by a jury, being first paid or tendered to the party or parties entitled to such compensation.

How construed.

SEC. 9. *And be it further enacted*, That the said canal, so constructed under this act, shall be of the dimensions as follows: at least twenty-six feet deep

Dimensions.