

the property to be condemned ; and after the testimony is concluded, and without unnecessary delay, and after having made a fair and just comparison of the advantages and disadvantages arising from said railroads use and occupation of said lands or other property they shall examine and determine whether any, and if any, what amount of damages have been or may be sustained by said owner or owners, respectively, and make report thereof accordingly, and the said jury shall reduce the inquisition to writing, and sign and seal the same ; and it shall then be returned by said sheriff to the clerk of the Circuit Court for his county, and be filed by said clerk in his office, and unless sufficient cause to the contrary be shown within fifteen days after said inquisition has been filed, the same shall forthwith be confirmed by said court and when confirmed it shall be recorded by the said clerk at the expense of the said railroad company ; but if the same be set aside, the said court shall direct another inquisition to be taken in the manner above described, and in case the second or any other inquisition which shall be confirmed by the court shall not award the owner or owners of said land or other property a larger amount of damages than was awarded by the first inquisition, the court may in its discretion order the costs of said inquisitions, or any of them, to be paid by the owner or owners, of said land or other property condemned ; and the inquisition shall, in all cases describe the property taken, or the bounds of the lands condemned, and the quality, quantity or duration of the interest in the same value for the company and such valuation when paid or tendered to the owner or owners of the property, his, her, or their heirs, legal representatives or assigns, shall entitle the said company to the estate, property, and interest in the same thus valued, as if it had been legally conveyed by the owner or owners of the same, and the said valuation, if not recorded when tendered may at any time thereafter be received by the owner or owners, his, her or their heirs, legal representatives or assigns without costs or interests from said company or from the Circuit Court of said county (into which said company is hereby authorized to pay the amount of said valuation after the same shall not have been received when by it tendered). And the sheriff shall in conducting said condemnation proceedings keep the jury together for a reasonable time until they shall agree upon and sign and seal said inquisition ; and in case it shall so happen that the jury cannot agree after being kept together as aforesaid the sheriff shall discharge the said jury and without any further warrant from a justice of the peace shall, within five days thereafter, summon