

shall take into the estimate the benefit resulting to the said owner or owners from conducting such rail road through, along or near to the property of said owner or owners, but only in extinguishment of the claim for damages; and the said jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by said sheriff to the clerk of his county, as the case may be, and by such clerk filed in his court, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shewn; and when confirmed, shall be recorded by said clerk, at the expense of 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 quantity 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 said property, or 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 costs by the said owner or owners, or his, her or their legal representative or representatives.

Jury to reduce inquisition to writing and to be recorded by clerk of Circuit court.

If set aside, court may direct another inquisition.

SEC. 12. *And be it enacted*, That whenever, in the construction of said road or roads, it shall be necessary to cross or intersect any established road or way, it shall be the duty of the president and directors of 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 where it shall be necessary to pass through the land of any individual, it shall also be their duty to provide for such individual proper wagon ways across said road or roads, from one part of his land to the other.

Wagon ways to be provided

SEC. 13. *And be it enacted*, That the president and directors shall annually or semi annually, declare, and make such dividends as they may deem proper, of the net profits arising from the resources of the company, after deducting the necessary current and probable contingent expenses; and that they shall divide the same amongst the proprietors of the stock of said company, in proper proportion to their respective shares; *Provided, however*, that no dividend of the earnings of said road shall be paid to the stockholders until after the entire line of said rail road shall have been completed

Dividends.

Proviso.