

benefits sustained, or to be sustained by said owner or owners; and if required by either party or their agents, the jury shall reduce the testimony taken by them to writing; and after the testimony is closed, and without unnecessary delay, and after a fair and just comparison and estimate of advantages and disadvantages resulting to the owner or owners of said lands or property from the said railroad, they shall estimate and determine whether any, and if any, what amount of damages has been or may be sustained by said owner or owners respectively, and the said jury shall reduce their inquisition to writing, and shall sign and seal the same and deliver to said sheriff, who shall return the same, without delay, to the clerk of the Circuit Court of his county, and by such clerk it shall be filed in his office, and shall be confirmed by said court within thirty days, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk; but if set aside, the said court shall direct another inquisition to take place in the manner above described, which shall be returned as before directed, and which valuation, when paid or tendered the owner or owners of said property or his or their legal representative, 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 said valuation, if not received when tendered, may at any time thereafter be demanded and received from the said company by the said owner or owners, his, her or their legal representatives.

Reduce to writing.

Clerk to file.

Entitle company to estate.

SEC. 16. *And be it enacted,* That if any person or persons shall wilfully, by any means whatever, injure, impair or destroy, or displace any part of any railroad constructed by said company under this act, or any of its rails or its necessary works, buildings, cars, carriages, vehicles or engines or machinery of said company, such person or persons so offending, shall each of them, for every such offence, forfeit and pay to said company the actual damage sustained by it, which may be recovered by an action before a justice of the peace of the county where the damage was done, if the damage claimed does not exceed one hundred dollars, and if over that sum, then in the Circuit Court of the county where such damage may be sustained, and

Wilfully injure, &c.

Pay damage sustained.