

received from the company without cost, by the said owner or owners, his, her or their legal representative or representatives.

CHAP. 187



Sec. 16. *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 said president and directors of the 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 when it shall be necessary to pass through the lands of any individual, it shall also be their duty to provide for such individuals, proper wagon ways across said road or roads, from one part of his land to the other, and that whenever any road or roads may hereafter be authorised to be made by the legislature, where it may be necessary to cross the said rail road, the company shall make or cause to be made a proper and convenient way for said road to cross, the expense of which shall be paid as the legislature may direct.

Cross roads provided for.

Sec. 17. *And be it enacted,* That whensoever it shall be necessary for said company to have, use, or occupy any lands, materials or other property, in order to the construction or repair of any part of said road or roads, or their works or necessary buildings, the president and directors of said company, or their agents, or those contracting with them for making or repairing the same, may immediately take and use the same, they having first caused the property wanted, to be viewed by a jury formed in the same manner hereinbefore prescribed in those cases, where the property is to be changed or altered by admixture with other substances before such alteration is made, and that it shall not be necessary after such view, in order to the use or occupation of the same, to wait the issue of the proceedings upon such view, and the inquest of the jury after confirmation and after payment or tender of the valuation, shall be a bar to all actions for taking or using such property, whether commenced before or after such confirmation, or the payment of the said valuation.

Immediate use of materials secured

Sec. 18. *And be it enacted,* That if it shall be necessary for the said Elkton and Wilmington rail road company, in the selection of the route or construction of the road by them, to be laid out and constructed, or any part of it, to connect the same with, or to use any turnpike road or bridge, made or erected by any company or persons, incorporated or authorised by any law of this state, it shall be lawful for the said president and directors, and they are hereby authorised, to contract and agree with any such other corporation or persons, for the right to use such road or bridge, or for the transfer of any of the corporate, or other rights or privileges of such corporation or persons, to the said company hereby incorporated; and every such other corporation, and persons incorporated by, or acting under any law of this state, is, and are hereby authorised to make such agreement, contract or transfer, by and through the agency of the person authorised by their res-

Contracts with the corporate authorities for rights &c. authorised.