

estimate the benefit resulting to the said owner or owners from conducting such rail road through or along the property of the said owner or owners, but only in extinguishment of the claim of damages, and 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 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 shown, and when confirmed shall be recorded by said clerk at the expense of the said company, but if set aside the said court may direct another inquisition to take place in the mode before 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 said valuation if not received when tendered may at any time thereafter be received from the said company without costs by the said owner or owners, or his, her or their legal representatives.

SEC. 13. *And be it enacted*, That whenever in the construction of said road 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, and 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, and where there or may be required ditches through said lands, said owners shall have a right to retain or construct such ditches; *provided*, that no new ditch shall be so constructed as to injure said road.

SEC. 14. *And be it enacted*, That the said board of directors, or a majority of them, may purchase with the funds of said company and place on said rail road all machines, wagons, engines, vehicles or carriages whatsoever for the purpose of transportation on said road, and may charge for tolls upon goods, produce, merchandize or property of any kind transported by them along said rail road the following rates, namely: on all goods, produce, merchandize or property of any