

cified in said warrant, not less than five nor more than
 ten days after issuing the same, and in case any of the
 jurors aforesaid do not attend the said sheriff shall in-
 stantly summon as many jurors as may be necessary
 with the jurors in attendance to furnish a pannel of twenty
 jurors in attendance, and from them each party, his, her
 or their agent, and if either be not present in person or
 by agent, the sheriff may strike off four jurors for each
 of the absent parties, and the remaining twelve shall act
 as the jury of inquest of damages, and before they act
 as such the said sheriff shall administer to each of them
 an oath or affirmation, as the case may be, that he will
 justly and impartially value the damages which the owner
 or owners of said land will sustain by the use or occupa-
 tion of the same required by the company, and the jury
 in estimating such damages shall take into the 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 the said jury shall reduce
 their inquisition to writing, shall sign and seal the same, and
 it shall then be returned by the 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 suf-
 ficient cause to the contrary be shewn, and when con-
 firmed shall be recorded by said clerk at the expense of
 the said company, but if set aside the said court may di-
 rect another inquisition to take place in the mode before
 prescribed, and such inquisition shall describe the prop-
 erty 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 re-
 ceived 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 repre-
 sentatives.

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

Not to obstruct
 any establish-
 ed road.