

any other claim, they shall ascertain and determine the compensation which ought justly to be made by said company to the party or parties owning or interested in the real estate appraised by them, and in determining the amount of such compensation, the jury shall not make an allowance or deduction on account of any real or supposed benefits which the parties, in interest, may derive from the construction of said rail road, and said company shall give written notice to all persons whose interests are to be affected by the condemnation of any lands, of the time and place of holding the inquisition, at least ten days prior to the holding of such inquisition; 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 the Circuit Court of his county, and by such clerk of the Circuit Court 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 the said clerk of the Circuit Court, 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 of 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 its, his, her or their legal representatives, and not before, shall entitle the said company to the estate, use 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 cost, by the said owner or owners, his, her or their legal representative or representatives.

SEC. 16. *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 said president and directors of the said company, or a majority of them, 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 land of any individual, it shall, also, be their duty to provide, at the expense of the company, for such individual, proper wagon-ways across said road or roads, from one part of his land to the other.

Established
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