

them, and in determining the amount of such compensation, the jury shall not make any 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, 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; *Provided*, that no timber of any kind shall be cut on any land other than the bed of the rail road company, or taken by them, or any of their agents or employees, for the use of said rail road, without the consent of the owner or owners, and all costs and expenses that may accrue in consequence of the condemnation of any lands or materials for the use of said rail road, shall be paid by said rail road company.

Sec. 14. *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 are, 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. 15. *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 the transportation of passengers, and for tolls upon goods, produce, merchandize or property of any kind, transported by them along said road, at such prices as to them may seem proper, not exceeding four cents per mile for each passenger, and not exceeding six cents per ton, per mile, for goods, produce, merchandize or other property.

Sec. 16. *And be it enacted*, That said company shall start and run their cars for the transportation of pas-

Act to be null if could not be reached in five

Proviso: clause to the effect

Banking for bid

Established road or way.

Passed May 25, 1852

Authority is

Proviso.

Power of president and directors to purchase locomotives, and to fix the rates of charge for passengers, &c.

Start and run cars at regular times.