

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 lands will sustain by the use or occupation of the same required by the company; if required by the party or parties whose lands are to be affected by their proceedings, the jury shall cause to be summoned such witnesses as the parties may require, and shall examine them on oath in relation to the value of property to be condemned, and the damages to that adjoining, and they shall reduce the testimony, if any taken by them, to writing, and after the testimony is closed in each case, and without any unnecessary delay, and before proceeding to the examination of any other claim, they shall ascertain and determine the compensation which ought justly to be made by the 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 in deduction on account of any real or supposed benefit which the parties in interest may derive from the construction of said railroad; 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, to writing, shall sign and seal the same, and it shall be returned by the said Sheriff to the Clerk of the Circuit Court for 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 then be recorded by the said Sheriff to the Clerk at the expense of said company; but if set aside, the said court may direct another inquisition to take place in the mode before described; and such inquisition shall describe the property taken, or the bounds of the land condemned, and the quantity and duration of the interest in the same, valued for the com-

Oath to be administered.

Written notice to be given.