

for said county, who shall thereupon issue his warrant under his hand and seal, directed to the sheriff of said county requiring him to summon a jury of twenty inhabitants of said county, not related to the parties nor in anywise interested, to meet on the land or near to the other property to be valued, on a day named in said warrant, not less than ten nor more than twenty days after the issuing of the same; and if at said time and place any of said jurors summoned do not attend, the said sheriff shall immediately summon as many jurors as may be necessary, with the jurors in attendance, to furnish a panel of twenty jurors in attendance, and from them each party, or its, his or their agent, if either be not present in person or by agent, the sheriff, for him, her, it or them, may strike off four jurors, and the remaining twelve shall act as a 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 will sustain by the use or occupation of the same for the purposes hereinbefore named; and the jury in estimating such damages, shall take into estimate the benefit resulting to the said owner or owners from opening and laying out such streets, lanes or alleys, through, along or near to the property of said owner or owners, but only in extinguishment of the claim for damages; and 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 Cecil 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 president and commissioners aforesaid; 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 or duration of the interest in the same, valued as aforesaid, 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 president and commissioners to the estate, use and interest in the same thus valued, for the purposes aforesaid, 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 said president and commissioners without cost, by the said owner or

Oath.

Jury to estimate benefits.

Jury to reduce inquisition to writing and to be filed by clerk of Circuit court.

If set aside court may direct another inquisition.