

Oath of
jurors.

warrant, not less than ten nor more than twenty days after issuing the same; and if, at the said time and place, any of the said jurors do not attend or should not be qualified to act as such jurors, or should from sickness or any other cause be unable to serve, the sheriff shall immediately summon as many persons, qualified as aforesaid, as together with those in attendance, will furnish a panel of twenty jurors in attendance, properly qualified and capable of serving as such, and from the panel each party, his, her, its or their agents or attorneys, or if either party be not present in person or by agent or attorney, or being present in person, by agent or attorney shall neglect or refuse to strike, then the sheriff for him, her, it or them, may strike off four persons, and, if after such striking, more than twelve jurors still remain upon such panel, by reason of one or more jurors being stricken by or on behalf of each side, or from any other cause or neglect or omission, the sheriff shall strike off as many persons, as with those already stricken, will amount to eight, and the remaining twelve jurors shall act as the jury of the inquest of damages, and to each, before he acts as such juror, the sheriff shall administer an oath or affirmation that he will justly and impartially value the damages which the owner or owners will sustain by the use and occupation of the property required by the said company, and also the benefits or advantages, if any, to accrue to the owner or owners, by the construction of the said road as a set off to the said damages, but only in the extinguishment of the claim for damages other than the value of the land or materials or other property taken, and not for the actual value of the land or material or other property taken, and after making a just and fair off set of the advantages and disadvantages arising from the construction of the said railroad they shall estimate and determine what amount of damages has been or may be sustained by the said owner or owners, and the said jury shall reduce their inquisition to writing and sign and seal the same, and it shall then be returned by the sheriff to the Clerk of the Circuit Court for his county, or to the Clerk of the Superior Court of Baltimore city, as the case may be, and shall be filed by the said clerk in his office, and shall be confirmed by the said court at its next term or session, if no sufficient cause to the contrary be shown, and when confirmed, shall be recorded by the clerk at the expense of the said company; but if the same be set aside, the court shall order and direct another inquisition to be taken in the manner above described, on a day to be named in such order, or if not so named, to be fixed by the sheriff, and without any further