

erty wanted, on a day named in said warrant, not less than ten nor more than twenty days after issuing the same; and if at said time and place any of the said jurors summoned do not attend, the sheriff shall immediately summon as many persons similarly qualified, as together with those in attendance, [] and from the panel each party, his, her, it, or their agent or attorney; or if either party be not present in person or by agent, or being present in person or agent, refuse to strike, the the sheriff for him, her, it, or them, may strike off four persons, and the remaining twelve 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 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, and be filed by said clerk in his office, and shall be confirmed by said court at its next term or session, if no sufficient cause to the contrary be shown, and when confirmed, shall be recorded by said clerk at the expense of the company; but if the same be set aside, the said court shall direct another inquisition to be taken in the manner above described, and in case the second or any other inquisition which is confirmed by the court, shall not award to the land-owner a larger amount of damages than was awarded by the first inquisition, the court may, in its discretion, order the costs of the said second or other inquisition to be paid by the owner or owners of said land or materials condemned; and the inquisition shall in all cases describe the property taken, or the bounds of the lands condemned, and the quality or duration of the interest in the same, valued for the company; and such valuation, when paid or tendered to the owner or owners of the property, his, her, or their legal representatives, shall entitle the said company to the estate and interest in the same thus valued, as if it had been

Inquisition to be reduced to writing and returned to court.

Court may order new inquisition.

Inquisition must describe property, &c

Tender of payment.