

(II) THE RETURN AND INQUISITION SHALL STATE THE AMOUNT OF THE LOSS OR DAMAGE.

(2) (I) THE COUNTY SHERIFF SHALL RETURN THE JURY'S INQUISITION TO THE CLERK OF THE CIRCUIT COURT OF THE COUNTY.

(II) THE CLERK SHALL FILE THE INQUISITION WITH THE COURT.

(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE COURT SHALL CONFIRM THE INQUISITION OF THE JURY AND THE CLERK SHALL RECORD THE INQUISITION AT THE EXPENSE OF THE TELEGRAPH OR TELEPHONE COMPANY.

(4) FOR GOOD CAUSE, THE COURT MAY SET ASIDE THE INQUISITION AND DIRECT ANOTHER INQUISITION TO BE TAKEN AS PROVIDED IN THIS SECTION.

(C) WHEN VALUE OF LOSS OR DAMAGE PAID OR TENDERED.

(1) WHEN THE VALUE OF THE LOSS OR DAMAGE IS PAID OR TENDERED TO THE OWNER OF THE LAND OR THE LEGAL REPRESENTATIVE OF THE OWNER OF THE LAND, THE TELEGRAPH OR TELEPHONE COMPANY IS ENTITLED TO THE EASEMENT AS IF THE OWNER OF THE LAND CONVEYED THE EASEMENT TO THE TELEGRAPH OR TELEPHONE COMPANY.

(2) IF THE VALUE IS NOT RECEIVED WHEN TENDERED, IT MAY BE RECEIVED AT ANY TIME WITHOUT COSTS BY THE OWNER OF THE LAND OR THE LEGAL REPRESENTATIVE OF THE OWNER OF THE LAND.

REVISOR'S NOTE: Subsections (a), (b)(1)(i), and (2) through (4), and (c) of this section are new language derived without substantive change from former Art. 23, §§ 319, 320, and, as it authorized a telephone or telegraph company to sue for an easement, § 318.

Subsection (b)(1)(ii) of this section is new language added to state explicitly that which was only implied in the former law, *i.e.*, that the return and inquisition "state the amount of the loss or damage".

In subsection (a) of this section, the reference to an "easement" is added to state expressly that which only was implied by the former law.

Also in subsection (a) of this section, the reference to an "owner or possessor of the land or bridge" is substituted for the former reference to "any person or corporation, on or over whose lands or bridges" the facilities will be placed, for consistency with § 8-105 of this title.

In subsections (a) and (b) of this section, the former references to a "just and equitable appraisalment", "true" return by the jury, and "judge" are deleted as surplusage.

In subsection (b)(1)(i) of this section, the word "signed" is substituted for the former archaic phrase "under their hands".