

land, earth, gravel, stone or material wanted for the construction or repairs of such road or roads, for the purchase, use or occupation of the same, or if the owner or owners or any of them be a feme covert, under age, or non compos mentis, or out of the county, application may be made to any Justice of the Peace for Allegany 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 or in anywise interested to meet on said land, or near to the other property, or materials 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 the same time and place any of the jurors shall not attend, the sheriff shall immediately summon as many jurors as may be necessary with those in attendance to furnish a panel of twenty jurors, and from them each party, or his or their agents, or if either be not present, in person or by agent, the sheriff for him 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 of said land, earth, gravel, stone or other materials will sustain by the use or occupying thereof by said company, and if required by the parties whose lands are to be affected by their proceedings, the jury shall cause to be summoned such witness as the parties may require, and shall examine them on their oath, in relation to the value of the property to be condemned, and they shall ascertain and determine the compensation which ought to be justly made by the said company to the party, or parties owning or interested in the real estate, or other property appraised by them, and in determining the amount of such compensation, the jury shall not make an allowance or deduction on account of any real or supposed benefits which the parties in interest may derive from the construction of said railroad or railroads, the said jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall be

Duty of  
Sheriff.