

their piers, booms, embankments or other improvements; or the owner of any sand bank or drift bank, rocks, trees or undergrowth which may be necessary to remove in making or maintaining such improvements, or in drudging, cleansing or controlling the water channel of said river for the purpose of said Corporation; and if they cannot agree, or if any of the owners be a *feme covert*, under age, *non compos mentis*, or out of the county in which the property wanted is situated, application may be made to a Justice of the Peace of said county, who shall thereupon issue his warrant, under seal, directed to the Sheriff of said county, requiring him to summon a jury of twenty disinterested citizens of such county to meet at or near the land, on the day named in said warrant, not less than ten nor more than twenty days after the issuing of said warrant; and if any of the said persons do not attend, the Sheriff shall immediately summon as many persons as shall be necessary, with the jurors in attendance, to furnish a panel of twenty persons in attendance, and from which each party may strike four jurors, and if four be not stricken the Sheriff shall strike as many as will reduce the panel of jurors to twelve 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 honestly value the damage sustained by the said owner or owners by the use and occupation of the said lands by the Corporation, 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 of the county where the lands may be, and by such Clerk filed in his Court, and shall be confirmed by the Court at its next session if no cause be shown to the contrary, but if set aside, the said Court shall direct another inquisition to be taken, in the manner above prescribed; and such inquisition shall describe the property taken by metes and bounds, and the valuation when paid or tendered by the Corporation shall entitle the said Corporation to the use and occupation of said land during their corporate existence, and if the valuation be not received when tendered, it

Jurors.

Inquisition.