

names of four persons, and the remaining twelve jurors shall form a panel to assess the value of such lands or materials ; in case either party fails or refuses to strike as aforesaid the names of four persons, or in case they should both strike the names of the same jurors, so that there may remain more than the twelve jurors required, the Sheriff shall strike from said panel of twenty such names as he may think proper and as may be necessary to reduce the panel to twelve jurors ; the Sheriff shall qualify each of said twelve jurors so selected by an oath, which he shall administer to them, or their affirmation, as the case may be, justly, truly and impartially to value the damages which may be sustained by the owner or owners of the land or materials required as aforesaid, and the said jury in estimating the damages aforesaid, shall take into account and estimate the benefit and advantages accruing to said owner or owners from the construction of said railway, but only in lessening or extinguishing his or their claim for damages as aforesaid ; and the said jury, besides viewing the premises, may receive the testimony of witnesses, which either party may produce upon oath, to be administered by said Sheriff, and they shall reduce their verdict to writing, in the shape of an inquisition, and sign and seal the same and deliver it to said Sheriff, who shall return the same to the Clerk of the Circuit Court of Baltimore County, and unless good and sufficient cause shall be shown against such inquisition, it shall be confirmed by said Court at the term next succeeding the time of return of said inquisition ; but if it shall be set aside by said Court, it shall direct another jury to be summoned and another inquisition to be taken in the manner before described ; and when any inquisition is confirmed by the Court aforesaid, and the amount of damages therein awarded is paid or tendered to the owner or owners of such land or materials, or paid into the Court aforesaid, the Company shall be entitled to the estate and interest of such owner in said land or materials, so far as may be necessary to vest in said Company the right of way over said land for the purpose of said Company, or to the use of the material so required.

Asses value.

Value damages.

Inquisition.

Sec. 9. *And be it enacted,* That the rate of fare