

74. If the said corporation cannot agree with said owners, 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 in which the property wanted may lie, when such land or material may be wanted, application may be made to any justice of the peace of such 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 or in any wise interested, to meet on the lands, 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 issuing of the same.

75. If at said time and place, any jurors summoned do not attend, the sheriff shall immediately summon as many jurors as may be necessary with the jurors in attendance, and from them each party or its, his or their agent, or if either be not present in person or by agent, the sheriff for him, it, or them, may strike off four jurors, and the remaining twelve shall act as the jury of inquest of damages.

76. The sheriff shall, before they proceed to act as such, administer to each of said jury an oath that he will justly and impartially value the damages which the owner will sustain by reason of the occupation of the said land or materials required by the company.

77. The jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the said sheriff to the clerk of the Circuit Court of his county, or the clerk of the Superior Court of Baltimore city, as the case may be, and shall be confirmed by the said court at its next session, if no sufficient cause to the contrary be shown, and when confirmed, shall be recorded by said clerk at the expense of said company, but if set aside the said court may direct another inquisition to be taken in the manner above prescribed.

78. Such inquisition shall describe the property taken, or the bounds of the land condemned, and the quantity or duration of the interest in the same valued for the company, and such valuation, when paid or tendered to the owner of said property, or his legal representatives, shall entitle the said company to the estate and interest in the same thus valued as fully as if it had been conveyed by the owner of the same; and the valuation,