

erty to her sole and separate use, or authorized to contract in *referance* to the same, *non compos mentis*, or out of the county where such property wanted may lie, when such property may be wanted, or for any other cause be legally incapable *or* contracting, application may be made by the said company to any Justice of the Peace of such county, who shall thereupon issue his warrant, under his hand *any* seal, to the Sheriff of the county, requiring him to summon a jury of twenty of the inhabitants of said county, above the age of twenty-one years, not related to the parties, nor in any wise interested, to meet on the lands, or near the materials or other property wanted, on a day named in said warrant, not less than ten nor more than twenty days after issuing the same; and if at said time and place any of the said jurors *summond* do not attend, the Sheriff shall *imediately* summon as many persons similarly qualified as, together with those in attendance, will furnish a panel of twenty jurors in attendance, and from the panel each party, his, her, its or their agent or attorney, or if either party be not present in person or by agent, or being present in person or agent, refuse to strike, the Sheriff, for him, her, it or them, may strike off four persons, and the remaining twelve shall act as the jury of inquest of damages, and to each, before he acts as such juror, the Sheriff shall administer an oath or affirmation that he will justly and impartially value the damages which the owner or owners will sustain by the use and occupation of the property required by the said company, and also the benefits or advantages to accrue to the owner or owners by the construction of the said canal as a set off to the said damages, but only in extinguishment of the claim for damages, and not for the actual value of the land or other material taken; and after having made a fair and just offset of the advantages and disadvantages arising from the construction of the said canal, they shall estimate and determine what amount of damages has been or may be sustained by the said owner or owners respectively; 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 for

Sheriff to  
summon jury  
to condemn.

To qualify  
jurors.

Reduce  
inquisition to  
writing.