

on a day named in said warrant, not less than ten or nor more than thirty days after the issuing of the same.

SEC. 4. *And be it enacted*, That 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 to make twenty jurors, and from them each party, or its, his, her or their agent, may, or if either party be not present in person or by agent, the sheriff, for him or them, may strike off four jurors, and from those remaining on the list the sheriff shall select twelve (12) to act as a jury of inquisition and damages.

SEC. 5. *And be it enacted*, That the sheriff shall, before they proceed to act as such jury of inquisition and damages, administer to each of said jurors an oath that he will justly and impartially value the damages which the owner or owners of said lot, or any property rights therein, will sustain by reason of the occupation of said lot, and find whether or not the condemnation of such lot is necessary and proper for the use of the Mayor and Council of Hagerstown for the due exercise and enjoyment of its corporate privileges and for the purpose for which it is authorized to be purchased or condemned by this act.

SEC. 6. *And be it enacted*. That the jury shall reduce the 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 for Washington County and if no sufficient cause to the contrary be shown, the said inquisition shall thereupon be confirmed by the said Court after such notice as shall be fixed by the rules of said Court, and when confirmed shall be recorded by said clerk at the expense of the Mayor and Council of Hagerstown; but if the same be set aside, or, if the jury shall fail to agree, the said Court may direct another inquisition to be taken in the manner above prescribed and like proceedings may be had until an inquisition in reference to said condemnation shall be confirmed.

SEC. 7. *Be it enacted*, That every such inquisition shall describe the property taken, the property rights therein and the duration of interest of the same valued for the Mayor and Council of Hagerstown, and such valuation when paid or tendered to the owner or owners of said property and property rights, or his legal representatives after confirmation thereof, or when the same shall be paid into Court under such regulations as the Court shall prescribe, shall entitle the said Mayor and Council of Hagerstown to the estate and interest in the said lot