

ing the said water into the said city, or if such owner or owners shall be absent out of the State, or unknown, it shall be lawful for the said commissioners, or a majority of them, or the mayor and councilmen, to apply to any justice of the peace for Allegany county, who shall thereupon issue his summons, 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 interested in the property to be valued, to meet on the land or near the other property to be valued, on a day named in said summons, not less than nor more than twenty days after the issuing of the same.

11. If at the time named in said summons any of said 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 his agent, or if either be not present in person or by his agent, the sheriff for him may strike off four jurors, and the remaining jurors shall act as the jury of inquest of damages.

12. The sheriff shall, before the said jury shall proceed to act, administer to each of them an oath that they will justly and impartially value the damages which the owner will sustain by the use or occupation of the property required by the said corporation.

13. The jury shall summon such witnesses as the parties may require, and examine them on oath in relation to the value of the property to be condemned, and they shall reduce the testimony, if any is taken by them, to writing, and after the testimony is closed, and without any unnecessary delay, and before proceeding to the examination of any other claim, they shall ascertain and determine the compensation which ought to be made by said corporation to the party owning or being interested in the property to be condemned.

14. The jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the sheriff to the clerk of the Circuit Court for Allegany county, and shall be filed by the said clerk in said court.