

Jury.

How damages
estimated.Inquisition to
be returned to
circuit court.

to any justice of the peace of the state of Maryland in and for Frederick county, who shall thereupon issue his warrant, under his hand and seal, directed to the sheriff of Frederick county, requiring him to summon twenty persons, who shall be freeholders and otherwise qualified to act as jurors, not interested in the property to be valued, to meet at or near the property to be valued, on a day named in said warrant, not less than ten nor more than twenty days after the issuing of the same, and if at the time and place named in said warrant any of the jurors summoned do not attend, the said sheriff shall immediately summon as many jurors as may be necessary with the jurors in attendance to furnish a panel of twenty jurors in attendance, and from them each party or its, his, her or their agent, if either be not present in person or by agent, the sheriff for him, her, it or them, may strike off four jurors, and the remaining twelve shall act as the jury of inquest of damages; and before they act as such the said sheriff shall administer to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the damages which the owner or owners will sustain by the condemnation of the same required by the said corporation; and the jury, in estimating such damages, shall take into the estimate the benefits resulting to the said owner or owners from opening, widening, deepening or straightening said creek through, along or near to the property of said owner or owners, but only in extinguishment of the claim for damages; and the said 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 Frederick county, and by such clerk filed in his court, and shall be confirmed by the court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by the said clerk at the expense of the said corporation; but if set aside the court may order another inquisition, to be taken in the manner above prescribed; and such inquisition shall describe the property taken or the