

nient day thereafter, it shall be the duty of the said court to proceed to hear and determine upon said petition, and the objections, if any, filed against the proposed condemnation; and the said court may order such witnesses to be summoned, and hear such evidence as may be produced before it by the respective parties, to show the necessity or impropriety of the proposed condemnation; and if the said court shall determine that condemnation of the said lands or other real property ought not to be had, it shall dismiss said petition, at the cost of the United States; but if it shall determine that condemnation of the land in said petition described, ought to be had by the United States, it shall pass an order directing the clerk of said court, under his hand and the seal of said court, to issue a warrant to the sheriff of the county wherein said land lies, requiring him to summon a jury of twenty inhabitants of said county, not interested in the land to be valued, to meet on or near the land to be valued, in a day named in said summons, not less than ten nor more than twenty days after issuing the same; provided, five days' notice thereof be given to the owner, reputed owner, or agent of such owner of the lands proposed to be condemned.

Warrant to
sheriff to sum-
mon jury

Id s 6
Proceedings on
non-attendance
of any of jurors.

6. If at the time named in such summons, any of said jurors summoned do not attend, the said sheriff shall immediately summon as many jurors as may be necessary with the jurors in attendance to make up the number of twenty, and from them, each party or his agent, or if either be not present in person or by agent, the sheriff for said party may strike four jurors, and the remaining jurors shall act as the jury of inquest of damages.

Id s 7
Oath to jurors

7. The said sheriff shall, before the said jury shall proceed to act, administer to each of them an oath, that he will justly and impartially value the damages which the owner will sustain by the use or permanent occupation of the land required by the United States.

Id s 8
Witnesses' testi-
mony

8. 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 be taken by them, to writing, and after the testimony is closed, and without any unnecessary delay, they shall ascertain and determine the compensation which ought to be made by the United States to the party owning or being interested in the land to be condemned.

Id s 9
Return of in-
quisition

9. The jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the sheriff, together with the testimony, if any taken, and reduced to writing as aforesaid, to the clerk of the Circuit Court for the county wherein said land lies, and shall be filed by said clerk in said court.

Id s 10
Confirmation of
inquisition

10. The said inquisition shall be confirmed by said court, if no sufficient cause be shown by the fourth day of the term thereof, beginning next after it is filed in said court; and when confirmed, shall be recorded by said clerk at the expense of the United States, and the United States shall also pay all the costs incident to said petition and inquisition in all cases.