

P. L. L., (1860,) art. 4, sec. 930.

918. If they cannot agree, or if there be any incapacity or disability to contract with the owner of such land or real estate, spring, brook, water or water-course as aforesaid, earth, timber, stone or other materials, or with the owner of such lands through which the said mayor and city council may find it necessary to have a right of entry and passage for the purpose of conveying the said water into the said city; or if such owner shall be absent, out of the State, or unknown, it shall be lawful, on the application of the mayor and city council, for any justice of the peace of the county in which such lands, earth or other property or materials as aforesaid are situate, to issue his warrant to the sheriff of said county, commanding him to summon from the said county a jury of twenty freeholders, inhabitants of said county, not related to the owner or persons interested, as aforesaid, in the said real estate or other property, to meet on the premises which are to be valued, on some certain day to be named in said warrant, of which said warrant and the day therein named for the meeting of the jury, twenty days' notice shall be given previous to such day by the mayor and city council, to every owner or person interested as aforesaid; or if any owner be an infant or lunatic, or *feme covert*, to his or her guardian or her husband, or in either case, left at his or her place of abode; or if out of the State or unknown, such notice shall be published not less than eight weeks successively in some one or more of the daily newspapers of Baltimore city, and in one or more of the newspapers of the county in which such property may be located, if any newspaper be published in such county.

Graff v. Mayor, &c, 10 Md. 544. *Kane v. Mayor, &c.*, 15 Md. 240.

Ibid. sec. 931.

919. From the list of jurors so returned and attending, the person, the condemnation of whose property may be desired, may strike four, and the said mayor and city council strike four, so that the number of jurors be reduced to twelve; and in case either party shall neglect or refuse to strike off the names of jurors, then it shall be the duty of the sheriff or his deputy, who shall attend as hereinafter directed, to strike off jurors for the party so refusing or neglecting, so that the number of jurors be reduced to twelve, as aforesaid.