

in the town, the commissioners cannot agree with the owner of any land or property wanted for the purpose, for the purchase, use and occupation of the same, or if the owner be a *feme covert*, under age, *non compos mentis*, or out of Cecil county, application may be made to any justice of the peace for the county, who shall thereupon issue his warrant, under his hand and seal, directed to the sheriff of the county, requiring him to summon a jury of twenty inhabitants of the county, not related to the parties, or in anywise interested, to meet on the land, or near to the property to be valued, on a day to be named in the warrant, not less than ten nor more than twenty days after the issuing of the same.

1882, ch. 408.

**67.** If at the same time and place any of the jurors summoned do not attend, the sheriff shall immediately summon as many jurors as shall be necessary, with the jurors in attendance, to finish a panel of twenty jurors, and from them each party or his agent, or if either be not present in person or by agent, the sheriff, for him, may strike off four jurors, and the remaining twelve shall act as a jury of inquest of damages.

Ibid.

**68.** Before the jury proceed to act, the sheriff shall administer to each juror an oath that he will justly and impartially value the damages which the owner will sustain by the use or occupation of his property for the said purpose.

Ibid.

**69.** The jury in estimating the damages shall take into consideration the benefit resulting to the owner from opening, laying out, straightening, widening and draining said streets, lanes or alleys, through, along or near to the property of said owner, but only in the extinguishment of his claims for damages; and 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 said county, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shown, whether on account of insufficiency of damages or otherwise, and when confirmed, it shall be recorded by said