

the lands or near the materials or other property wanted, on a day named in said warrant, not less than ten, nor more than twenty days after issuing the same; and if at said time and place, any of the said jurors summoned do not attend, the sheriff shall immediately summon as many persons similarly qualified as, together with those in attendance, will furnish a panel of twenty jurors in attendance, and from the panel each party, his, her, its or their agent or attorney, or if either party be not present in person or by agent, or being present in person or by agent refuse to strike, the sheriff for him, her, it or them, may strike off four persons, and the remaining twelve shall act as the jury of inquest of damages; and to each, before he acts as such juror, the sheriff shall administer an oath or affirmation, that he will justly and impartially value the damages which the owner or owners will sustain by the use and occupation of the property required by the said company, and also the benefits or advantages to accrue to the owner or owners by the construction of said canal, as a set off to the said damages, but only in extinguishment of the claims for damages, and not for the actual value of the land or other material taken; and after having made a fair and just off set of the advantages and disadvantages arising from the construction of the said canal, they shall estimate and determine what amount of damages has been or may be sustained by the said owner or owners respectively; and the said jury shall reduce their inquisition to writing, and sign and seal the same, and it shall then be returned by the sheriff to the clerk of the circuit court for his county, and be filed by said clerk in his office, and shall be confirmed by said court at its next term or session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk at the expense of the company; but if the same be set aside, the said court shall direct another inquisition to be taken in the manner above described, and in case of the second or any other inquisition which is confirmed by the court shall not award to the land owner a larger amount of damages than was awarded by the first inquisition, the court may, in its discretion, order the cost of said second or other inquisition to be paid by the said owner or owners of said land or

Sheriff may
strike off.

Estimate
damages.

Recorded
when confirmed