

the remaining twelve shall act as a 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 land required by the said company, and also the benefits or advantages to accrue to the owner or owners by the construction of said inlet as a set off to 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 inlet or canal for oyster planting, they shall estimate and determine what amount of damages has been or may be sustained by the said 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 of the county, and be filed by said clerk in his office, and shall be confirmed by said court at its next term of 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 manner described above; and in the case of the second or any other inquisition which is confirmed by the court, shall not award to the landowner a larger amount of damages than was awarded by the first inquisition, the court may, in its discretion, order the costs of the said second or other inquisitions to be paid by the said owner or owners of said land or materials condemned, and the inquisitions shall in all cases describe the property taken, or the bounds of the land condemned, and the quality or duration of the interest in the same, valued for the company; and such valuation, when paid or tendered to the owner or owners of the property, his, her or their legal representatives, shall entitle the said company to the estate or interest in the same thus valued as if it had been legally conveyed by the owner or owners of the same; and the valuation, if not received when tendered, may at any time thereafter be recovered without costs from said company by the owner or owners, his, her or their legal representatives, and the said sheriff shall keep the said jury together for a reasonable time until they

Administer  
oath or affirma-  
tion.

Determine  
the amount of  
damages.

Costs—how to  
be paid.