

four persons, and the remaining twelve shall act as the jury of the 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 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 any time after the expiration of thirty days from the date of such filing, 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 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 costs of said second or other inquisition, to be paid by the owner or owners of said land or materials condemned; and the inquisition 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 and 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 received without costs from said company, by the owner or owners, his, her, or their legal representatives; and the sheriff shall keep the said jury together for a reasonable time, until they shall agree upon and sign and seal the said inquisition; and in case it shall so happen that the jury can not agree, after being kept together as aforesaid, the sheriff may, in his discretion, discharge the said jury, and without any further warrant from a justice of the peace, shall, within five days thereafter, summon another jury of twenty inhabitants, as aforesaid, not upon the former jury; and the same proceedings shall be had in all respects, as is hereinbefore provided; and in case of a second or other disagreement of the jury, the same proceedings shall be had until a verdict or inquisition shall be made and returned as aforesaid.