

ty, to meet on the land to be valued on a day specified in said warrant, not less than five nor more than ten days after issuing the same; and in case any of the jurors aforesaid do not attend, the said Sheriff shall instanter summon as many jurors as may be necessary with the jurors in attendance to furnish a panel of twenty jurors in attendance, and from them each party, his, her or their agent, and if either be not present in person or by agent, the Sheriff may strike off four jurors for each of the absent parties, and the remaining twelve shall act as the jury of inquest of damages, and before they act as such the said Sheriff shall administer to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the damages which the owner or owners of said land will sustain by the use or occupation of the same required by the company, and the jury estimating such damages shall take into the estimate the benefit resulting to the said owner or owners from conducting such railroad through or along the property of the said owner or owners, but only in extinguishment of the claim of damages, and said jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by said Sheriff to the Clerk of his county, and by such Clerk filed in his court, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said Clerk at the expense of the said company, but if set aside the said court may direct another inquisition to take place in the mode before prescribed, and such inquisition shall describe the property taken or the bounds of the land condemned, and the quantity 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 said property, or his, her or their legal representatives, shall entitle the said company to the estate and interest in the same thus valued, as fully as if it had been conveyed by the owner or owners of the same, and the said valuation, if not received when tendered, may at any time thereafter be received from the said company without costs by the said owner or owners, or his, her or their legal representatives.

Sheriff to
summon Ju-
rors, &c.