

county, when such lands or materials may be wanted, application may be made by said Baltimore and Liberty Turnpike Company, or by the President and Directors thereof, or any agent for them, to a Justice of the Peace of Baltimore county, who shall thereupon issue his warrant, directed to the Sheriff of said county, requiring him to summon a jury of twenty disinterested persons competent to act as jurors in the Circuit Court for said county, to meet on the land or near to the other property or materials to be valued, on a day to be named in said warrant, and if at such time and place any of the jurors so summoned do not attend, the said Sheriff shall immediately summon as many other as may be necessary with the jurors in attendance to make up the number of twenty, and from the panel of twenty jurors, the President and Directors of said company or their agent, and the person or persons interested in said land or other property or their agent, shall respectively strike four, or in the absence or refusal to strike, of either party, the Sheriff shall strike for such party, and to the remaining twelve jurors, the Sheriff shall administer an oath or affirmation as the case may be, justly, truly and impartially to value the damages which may be sustained by the owner or owners of said land or other property by reason of the use thereof by said company, or if the said President and Directors shall have made application for the condemnation only of the interest of some person or persons having a particular estate in any land required as aforesaid, the said jurors shall be sworn justly, truly and impartially to value the damages which may be sustained by such person or persons; and the said jury, in either case, in estimating such damages, shall take into consideration, in mitigation or extinguishment of damages, the benefits resulting to the said owner or owners, or such person or persons who may be interested as aforesaid by the making of said turnpike road; and the said jury shall sign and seal their inquisition, and the said inquisition shall be returned by the Sheriff to the Circuit Court for Baltimore county, and shall be confirmed by said court at its next session, and then recorded, unless sufficient cause to the contrary be shown; and if the same be not confirmed, the said court, as often as may

Mode of procedure in case of condemnation.