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rested, to meet on the land to be valued, at a day to be expressed in the warrant, not less than ten nor more than twenty days thereafter, and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury, and when met, shall administer an oath or affirmation, to every jurymen who shall appear, not being less than twelve in number, that he will faithfully, justly and impartially, value the land, and all damages the owner shall sustain by cutting the canal through such land, or the partial or temporary appropriation, use or occupation, of such land, according to the best of his skill and judgment, and that in such valuation he will not spare any person for favour or affection, nor any person grieve through malice, hatred or ill-will; and the inquisition thereupon taken shall be signed by the sheriff, and some twelve or more of the jury, and returned by the sheriff to the clerk of his county, and unless good cause be shown against said inquisition, it shall be affirmed by the court, and recorded, but if the said inquisition should be set aside, or if, from any cause, no inquisition shall be returned to such court within a reasonable time, the said court may, at its discretion, as often as it may be necessary, direct another inquisition to be taken in the manner above prescribed; and upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and the quality and duration of the interest and estate in the same required by the said company for its use, and their valuation shall be conclusive on all persons, and shall be paid for by the president and directors to the owners of the land or his legal representatives, and on payment thereof the said company shall be seized of such land as of an absolute estate in perpetuity, or with such less quantity and duration of interest and estate in the same, or subject to such partial or temporary appropriation, use or occupation, as shall be required and described as aforesaid, as if conveyed by the owner of them; and whenever, in the construction of the said canal, or any of the works thereof, locks, dams, ponds, feeders, tunnels, aqueducts, culverts, bridges, or works of any other description whatsoever, appertenant thereto, it shall be necessary to use earth, timber, gravel or stone, or any other material to be found on any of the lands adjacent or near thereto, and the said president and directors, or their agent, cannot procure the same for the works aforesaid by private contract of the proprietor or owner on reasonable terms, or in case the owner should be a *feme covert* or *non compos mentis*, under age, or out of the county or state, the same proceedings in all respects shall be had as in the case before mentioned of assessment and condemnation of land required for the canal, or the works appertenant thereto.