

CHAP. 87.

Oath required

Mode of estimating

Return of said valuation

On confirmation

Recorded

Or if set aside, another ordered

Shall describe property

Title confirmed

Valuation receivable

Authority to cut Canal

Make contracts

for each absent party, 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, or property, will sustain by the use or occupation of the same, required by the said town commissioners for their ditch or canal and the jury in estimating such damages, shall take into the estimate the benefit resulting to the said owner or owners, from conducting such ditch or canal, through the property of the said owner or owners, and the said jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the said sheriff to the clerk of the 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 shewn, and when confirmed, shall be recorded by said clerk, but if set aside, the 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 such valuation, when paid or tendered, to the owner or owners of said property, or his, her, or their legal representatives, shall entitle the the said town commissioners, for the use of the town of Elkton, 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 such valuation, if not received when tendered, may at any time thereafter be received from the said town commissioners, by the said owner or owners, or his, her or their legal representatives, without costs or charges to the said town commissioners.

Sec. 3. *And be it enacted*, That the board of town commissioners, for the town of Elkton, immediately on the condemnation of the property necessary to be used by them, for cutting their ditch or canal, to supply the town with water, and in manner aforesaid, shall be authorised to cut the necessary ditch or canal, or to make contracts for the cutting of the same, and to do such other matters and things in relation thereto, as shall be necessary to supply the town of Elkton with water, to be used in cases of fire, and for other