

tax whatever, for the use of the said company; and the works thereon erected, shall at any time hereafter be imposed but by the consent of the said State; and whereas it is necessary for the making the said lock and dam, navigation, feeders and other works, that a provision shall be made for condemning a quantity of land for the purpose—Be it enacted, that it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any lands through which the said improvements may pass, or which may be occasioned by inundation of any lands through which the same may pass, for the purchase or use and occupation thereof, and in case of disagreement, or in case the owner thereof shall be a feme covert, under age, non compos mentis, or out of the State or county, on application to a justice of the peace of the county in which such land shall be, the said justice of the peace shall issue his warrant under his hand, to the sheriff of the county, to summon a jury of twelve inhabitants of his county, not related to the parties, nor in any manner interested, to meet on the lands 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, being not less than twelve in number, that he will faithfully, justly and impartially value the land, and all damages the owner thereof shall sustain, by the said improvements by or on account, of said locks, dams, inundation or otherwise, to or on such lands, 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 favor or affection, nor any person aggrieve for malice, hatred or ill will; and in every such valuation and assessment of damage to be by the jury so fixed, assessed and valued, the amount of damage to any such owner of lands as aforesaid, and the inquisition thereupon taken, shall be signed by the sheriff and all of the said jury so sworn, and returned by the sheriff to the clerk of his county, and unless good cause be shown against the said inquisition, it shall be affirmed by the court and recorded; but if the said inquisition shall 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 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 lands by them valued, and the quality of 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 owner of the land or his or her 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 or estate in the same or sub-