

them out of any funds which may be at their disposal not levied for a specified purpose in order to adapt said property and the buildings and improvements thereon to such municipal uses as in their judgment said lot may be best fitted to subserve.

1912, ch. 95, sec. 3.

450. In the event that the Mayor and Council of Hagerstown cannot agree with the owner or owners upon a purchase price for said lot and property rights, or in the event it shall be impossible to accurately determine who the owner or owners of said lot and property rights are, or in whom the title thereto may at present vest, or if any such owner or owners be a feme sole and without power to contract in that regard, under age, *non compos mentis*, or under any other legal disability to contract, or be out of Washington county at the time said property is wanted, then and in all such cases application may be made by the Mayor and Council of Hagerstown to any judge of the Fourth Judicial Circuit of Maryland and thereupon the said judge, upon its being made to appear satisfactory to him that said lot and property rights are necessary and proper to be condemned for the use of the Mayor and Council of Hagerstown for a site for a building to be used for municipal purposes, shall issue his warrant, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants, who are freeholders and qualified voters of the City of Hagerstown, and not related to said owner or owners of any property rights in said lot, or in anywise interested in said lot, to meet on the premises to be valued and condemned, on a day named in said warrant, not less than ten or nor more than thirty days after the issuing of the same.

1912, ch. 95, sec. 4.

451. If, at said time and place, any jurors summoned do not attend, the sheriff shall immediately summon as many jurors as may be necessary with the jurors in attendance to make twenty jurors, and from them each party, or its, his, her or their agent, may, or if either party be not present in person or by agent, the sheriff, for him or them, may strike off four jurors, and from those remaining on the list the sheriff shall select twelve (12) to act as a jury of inquisition and damages.

1912, ch. 95, sec. 5.

452. The sheriff shall, before they proceed to act as such jury of inquisition and damages, administer to each of said jurors an oath that he will justly and impartially value the damages which the owner or owners of said lot, or any property rights therein, will sustain by reason of the occupation of said lot, and find whether or not the condemnation of such lot is necessary and proper for the use of the Mayor and Council of Hagerstown for the due exercise and enjoyment of its corporate privileges and for the purpose for which it is authorized to be purchased or condemned by this act.