

poses, the Commissioners of Cambridge shall have full power and authority to take proceedings, as hereinafter set forth for the condemnation of such lands or other property needed; and upon such condemnation under said proceedings, and on the payment or tender of the money adjudged to be paid, the lands or other property condemned shall vest in the Commissioners in fee simple. Before taking the proceedings the Commissioners ought to ascertain whether they can buy the property from owners at a fair price. But the omission to negotiate shall not affect the right of the Commissioners to take proceedings. For condemning lands or property as aforesaid the Commissioners shall proceed as follows, to wit:

First. They shall issue a warrant signed by the Commissioners, or at least three of them, authenticated by the corporate seal, directed to the Sheriff of Dorchester County, commanding him to summon twenty male residents of the said town, over the age of twenty-five years, who are not interested in the property to be condemned, and not related or connected, by blood or marriage, with the owners of the said property, that out of said number an impartial jury of twelve men may be selected.

Second. The warrant shall designate the court-house in said town for the place of meeting, unless for a cause, deemed by the Commissioners sufficient, a different place in said town be designated therefor, and it shall name a day and date for the meeting, not less than twenty days after the date of the warrant, or it may appoint a more distant day and date, if the parties or persons owning or interested in the property reside out of said county or out of this State. If on the day appointed for such meeting it shall seem just and right to the sheriff, he may postpone the meeting to a future day and date, not more than twenty days thereafter, but by consent of the Commissioners and the owners and the persons interested in the lands or property, the sheriff may postpone the meeting to any day and date agreed on. The sheriff may adjourn the inquisition from day to day (Sundays excepted) until its work is completed, or it may adjourn to any day agreed upon by the parties.

Third. With the warrant, or about the date thereof, the town clerk shall issue and deliver to said sheriff summonses directed to the owners or persons interested in said property, residing in said county or in any other county of this State. The summons for parties or persons residing in Dorchester County shall be served by the said sheriff, while the summonses for parties or persons residing in other counties of this State shall be sent by said sheriff to the sheriff of such counties, that he may summon the parties or persons named therein. If any of the parties or persons interested in the property shall reside out of this State the town clerk shall deliver to the sheriff of Dorchester County an order of publication, to be published once a week for three successive weeks in some newspaper in said town, at least thirty days before the day and date of the meeting named in the warrant or afterwards appointed.

But in place of an order of publication a summons may be personally served on any non-resident by any person appointed by the sheriff, if the person who serves the same makes oath to such service before a notary