

bridge. But if before issuing the warrant the Commissioners made an offer and tender in writing to the owner of the land condemned of any sum to be paid as the price which they were willing to pay therefor, or if the owner was an infant or a *non compos mentis* or lunatic, then if such offer or tender was made to the legal guardian of the infant, or to the committee of the *non compos mentis* or lunatic, and if the damages assessed by the inquisition does not exceed in amount the sum which the Commissioners tendered in writing to the owner, or if an infant, to his guardian, or if *non compos mentis* or a lunatic, to his committee or trustee, then the payment or tender of the damages assessed in the inquisition as aforesaid, less the entire costs of the Commissioners, shall likewise vest the property in the Commissioners.

Seventh. In his report to the Commissioners concerning the proceedings the sheriff shall set forth the names of the owners or persons interested in the property summoned by himself, and the names of the owners or persons interested summoned by the sheriff of any other county at his direction, and the names of any non-residents, and to state whether they were notified by summons or order of publication, and his statement in such report shall be entitled to the same credence and have the same force and effect as the returns made by a sheriff to process in the circuit courts. The records of proceedings to be delivered to the clerk of the circuit court, to be recorded, shall consist of the warrant to the sheriff, the inquisition, and the report of the sheriff, and an affidavit of the Mayor, or of the town clerk and treasurer, made before a justice of the peace, that the damages awarded to the owners or persons interested in the property have been paid or been tendered, or have been paid into the circuit court for distribution, a copy of said record shall be receiveable in any of the courts of the State or before any justice of the peace thereof, to show the title in fee of the Commissioners of Cambridge to said property. If there be liens bearing on the property condemned, the condemnation shall free the same of such liens, and the lienors shall resort to the funds. In any case, the Commissioners shall see to it that the damages awarded by the jury are duly distributed, and to this end the Commissioners may make a distribution of such fund, or they may pay the fund into the Circuit Court for Dorchester County, sitting as a court of equity, and by petition pray said court to distribute the fund, and the said court shall have jurisdiction for making such distribution, and by its order may provide therefor, and upon the payment of the fund into said court the Commissioners shall be discharged from all further duty and responsibility in regard thereto. The sheriff shall deliver to the Commissioners not only the papers that are to be embraced in the records, but also the summonses, copies of order of publication, and any papers that may be filed with the sheriff in the course of the proceedings, to be preserved by the same until the time for taking an appeal has passed.

Eighth. The Commissioners or the owners and persons interested in the property, if aggrieved by the determination of the jury set forth in the inquisition, may take an appeal to the Circuit Court for Dorchester