

1882, ch. 216.

**78.** The said commissioners and owners may in writing submit said valuation to the jury without evidence, or if either party desire witnesses, the sheriff shall, before the hearing, summon the same; and said witness shall receive seventy-five cents for each day's attendance, and the sheriff the usual fees allowed him for serving process, all of which fees shall be taxed as a part of the costs.

Ibid.

**79.** The jury, in estimating the damages, shall take into consideration not only the actual value of the land condemned, but also the injury, if any, that may be done by means thereof, to any other property of the owner, and shall also take into consideration the benefits or advantages that may accrue to the owner thereby.

Ibid.

**80.** The sheriff shall return the inquisition under his hand and seal, and the hands and seals of the jury, to the commissioners, who shall have it recorded among the land records of Dorchester county, and the said condemnation, upon payment or tender to the owner of the land condemned, or his legal guardian, if an infant is the owner, of the damages assessed by the inquisition, and his legal costs, shall vest the property condemned in the commissioners; provided, that if the damages assessed in said inquisition shall not exceed in amount any sum which the commissioners may have tendered in writing to the owner, or in case of an infant, to his guardian, for the land condemned before the issuing of said warrant to the sheriff, then the payment or tender of the damages as aforesaid, less the entire costs of the commissioners, shall likewise vest the property condemned in the commissioners; provided further, that either party feeling himself aggrieved by any inquisition as aforesaid, shall have the right to appeal within thirty days to the circuit court for Dorchester county, upon filing with the clerk of said court a bond to the State of Maryland in penalty of five hundred dollars, with security to be approved by said clerk, conditioned for the payment of costs; if an appeal should be taken, the commissioners shall immediately send all the papers in the case to said clerk, and said court shall direct issues to be framed, and hear the case *de novo*.