

1888, art. 37, sec. 5. 1860, art. 39, sec. 5. 1799, ch. 83, sec. 5.

5. And the said jury shall then and there, upon viewing the place, determine how much land, not exceeding two acres and not including the dwelling-house, garden, orchard or meadow of the owner or possessor, or any part thereof, shall be necessary and most convenient to be laid off for the use of such ferry, and the said surveyor, under their direction, shall survey and lay off the same, and make a correct plat and certificate thereof, and shall deliver the same to the said sheriff, to be returned to the circuit court for the county, and said jury shall then and there estimate the value of the said land, in doing which they shall take into consideration all the advantages of its situation for the purpose of keeping a ferry or pursuing any other business, having first taken an oath justly and impartially to value the same land; and they shall make inquest of their proceedings as aforesaid, under their hands and seals, which shall be returned by the said sheriff with the certificate and plat aforesaid to the next circuit court for the county.

Ibid. sec. 6. 1860, art. 39, sec. 6. 1799, ch. 83, sec. 5.

6. If the proprietor of the said land shall think himself aggrieved by the quantity of land laid off, or by the manner of laying off the same, or by the valuation thereof by the said jury, he may apply to the said court at any time before the end of the next court to that at which the proceedings aforesaid shall be returned, who may, in a summary way, examine the said proceedings, and ratify or correct the same in any of the particulars above mentioned, and shall thereupon order and adjudge that the said land shall thenceforward become the property of the said county forever, upon the value thereof as aforesaid being paid to the said owner; which judgment and proceeding shall be recorded; and the clerk of the said court shall transmit a copy of such order and judgment of the said court, and a certificate of the valuation of the said land condemned, to the county commissioners of the same county, who shall assess and levy the same in the same manner as other county expenses, and shall order such sum, when levied, to be paid over to the person or persons entitled to receive the same as being interested in such condemned land; and it shall thereupon be lawful for the said county commissioners to direct the necessary buildings to be erected thereon at the expense of the county, and the same shall be annually rented out by them for the use and benefit of the said county.