

lows: The commissioners shall issue their warrant, under seal, to the sheriff of Dorchester county to summon an impartial jury of twelve men from said town, who shall not be interested directly or indirectly in the matter to be determined, or be related to or connected with the owner of the property sought to be condemned; and they shall meet at the court house in said town on the day fixed in said warrant, not less than ten days from the issuing thereof; the sheriff shall, immediately upon receipt of said warrant, serve notice thereof on the owner of the land to be condemned, and return the same, with endorsements of service thereon, to the commissioners; and if the owners are infants the commissioners shall appoint an intelligent citizen of said town his or their guardian, who shall appear to such proceedings and act for him or them, who shall receive two dollars for every day engaged in the trial of such case, to be taxed as a part of the costs; on the day fixed for the hearing the sheriff shall swear the said jury to value the land and assess the damages sustained by the owner by means of such condemnation, without partiality or prejudice, to the best of their skill and judgment, and the jury shall then proceed to make such valuation.

Mode of procedure.

66. 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.

Submit valuation.

67. 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.

Estimating damages.

68. 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 shall, upon payment or tender to the owner of the land condemned, or his legal

Inquisition recorded.