

owner in the same manner as other debts are collected; and any judgment obtained in such case shall be a prior lien on said property.

1882, ch. 216.

76. If any ground bordering on any street ordered to be paved shall be leased for a term less than seven years, the lessee or tenant may pave or repair said street, or pay for the same if done by the commissioners, and the same shall be allowed in part payment of the rent due and to become due to the owner; and if such tenant should refuse as aforesaid, the commissioners may, in their discretion, make him responsible for said costs, or proceed against the owner.

Ibid.

77. If land or other property should be needed for corporate purposes, that is, for streets, wharves, market-houses, engine-houses, or any other purpose, the commissioners are empowered to condemn the same, unless they can purchase it at a fair price; and their mode of procedure shall be as follows: the commissioners shall issue their warrant, under seal, to the sheriff of Dorchester county, to summon an impartial jury of twelve men from the 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 the town on the day fixed in said warrant, not less than ten days from the issuing thereof; the sheriff shall, immediately upon the 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 owner is an infant, the commissioners shall appoint an intelligent citizen of the town his guardian, who shall appear to such proceedings and act for him, and who shall receive two dollars for every day he may be 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.