

the exercise of the right of eminent domain, it shall be competent for all witnesses called, when duly qualified, to state their opinion as to the market value of the property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby:

(a) To state, in detail and costs, all the elements of benefit or damage which they have taken into consideration in arriving at their opinion;

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain, to add to their opinion of the market value before such exercise, the cost or value of all the element of benefit or advantage, and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby;

(c) In all proceedings to assess damages or benefits for the opening of any street, alley, or other highway, to take into consideration, as one of the elements of advantage or disadvantage, the cost of street improvement.

In all claims for damages against a township, arising from the exercise of the right of eminent domain, it shall be competent for the party or parties claiming damages to offer in evidence, as a declaration against interest, the value of the property affected as assessed for the purpose of taxation.

Section 1915. Proceedings where Assessments by Viewers Waived.—In any proceeding to ascertain the damage caused to any owner of lands, by reason of the appropriation of a right of way or easement by any township, where the owner and township cannot agree upon the amount of damage done, the parties may, by agreement, waive the right to have such damages assessed, and the owner may file his claim in the court of common pleas of the county, and rule the defendant to plead thereto within fifteen days from the service of such rule upon the township, and the suit shall be proceeded with as if an award of viewers had been filed and an appeal had been taken therefrom.

Either party to such an action may, on motion, have the jury visit and view the premises over or through which the proposed right of way or easement may extend.

Section 1916. Appeals in Eminent Domain Proceedings; Payment of Money into Court.—In all cases of damages assessed against any township for property taken, injured or destroyed by the construction or enlargement of their works, highways, or improvements, whether such assessment shall have been made by viewers, or otherwise than upon trial in court, and an ap-