

**RCW 8.04.110 Trial—Damages to be found.** A judge of the superior court shall preside at the trial to determine the compensation and damage to be awarded, which trial shall be held at the courthouse in the county where the land, real estate, premises or other property sought to be appropriated or acquired is situated: and in the case of each such trial by jury the jurors by their verdict shall fix as a lump sum the total amount of damages which shall result to all persons or parties and to any county and to all tenants, encumbrancers and others interested therein, by reason of the appropriation and use of the lands, real estate, premises or other property sought to be appropriated or acquired. Upon the trial, witnesses may be examined in behalf of either party to the proceedings as in civil actions; and a witness served with a subpoena in each proceeding shall be punished for failure to appear at such trial, or for perjury, as upon a trial of a civil action. In case a jury is not demanded as provided for in \*section 894 such total amount of damages shall be ascertained and determined by the court or judge thereof and the proceedings shall be the same as in trials of an issue of fact by the court. [1925 ex.s. c 98 s 2; 1891 c 74 s 5; RRS s 895.]

**Rules of court:** CR 26 through 37.

**\*Reviser's note:** "section 894" refers to RRS s 894 herein codified (as amended) as RCW 8.04.070, 8.04.080, 8.04.090, and 8.04.100.

*Witnesses, examination of: Title 5 RCW.*