

CHAP. 327

Right to jury trial

How conducted

To be paid by corporation

Costs

Right to remove to another county

Notice to be given before inquest

sion and assessment of damages aforesaid, and the said court shall proceed thereupon itself to inquire and determine upon said claim of damages, or at request of either party to order and have a jury trial in the premises, and the said claim shall then be proceeded with anew as if no decision by commissioners aforesaid had been made, and for such jury trial jurors shall be summoned in number, and subject to all the rules for the selection of a pannel to try the case and the summons of talesmen and the right to grant new trials, and in all other respects, as is lawful and usual in jury trials generally in said courts, and the jury as in such jury trials being subject to the direction of the court on all points of law; and in said appeals the court may pass all such rules and orders as it may deem proper, for the fair and speedy trials of said appeals, and the amount decided by said commissioners, or in case of appeal aforesaid adjudged on verdict aforesaid, shall be paid by said corporation, and if no appeal be entered as aforesaid, or after being entered shall not be proceeded in by the time that may in the case be finally limited by said court, the court may render judgment against the said corporation on the decision of the commissioners, and such judgment and the judgment of the court which it is hereby authorised to pass on verdict aforesaid, may be enforced by execution, in manner, as any judgment of said court may be, the costs of said appeal to be paid by such party, and in such manner as the said court may appoint.

SEC. 3 *And be it enacted*, That either party shall have the same privilege of removing the case of such appeal for trial to an adjoining county, as is now allowed in civil cases in County Courts, and upon the same conditions; the president, or any director, or any officer or agent of the corporation, making the required affidavit or affirmation where the corporation shall apply for the removal.

SEC. 4. *And be it enacted*, That in all cases of inquests of damages, under the thirteenth section of the act to which this is a supplement, notice of not less than ten days before such inquest shall take place, shall be given of the holding of the same, to the owner