

Mode of recovery
of Costs.

Court may order
a new Jury to be
summoned whose
verdict shall be
final.

Proceedings on a
second verdict
being taken.

Lieutenant Governor, shall be paid to the Appellee in the manner prescribed, in the Seventh Section of this Act, as to payment of a Verdict; and if by the Proprietor or Tenant, then the same shall be paid by him to the Government, and in case of neglect or refusal, the same shall be recovered, by and on behalf of the Government, in the same manner in which Costs are recovered in the said Supreme Court, on Appeals being dismissed in cases of Small Debts, and if after hearing such Appeal, it shall appear to the said Court, that justice hath not been done, it shall and may be lawful for the said Court to order and direct, that an alias Writ be issued, and a new Jury summoned, the Verdict found by which said second Jury, shall be final and conclusive, and when returned as aforesaid, shall be entered of record in the said Court. And if on the coming in of such second Verdict, it shall appear that the same is in confirmation of the Verdict appealed from, if such Verdict shall find the Road to be an advantage to the Proprietor of the Land, then the said Court shall order the same to be entered of record, together with the Costs incurred on hearing such Appeal, issuing such second Writ, and taking such Verdict, which said Costs, having been duly taxed, shall make part of the said second Judgment, and be paid and recovered, in the manner pointed out by this Act, for the recovery of the Verdict alone; and if the said second Verdict shall find the Owner of the Land, to be entitled to any sum beyond what was found in the first Verdict, the Appellant shall have his reasonable Costs of Appeal and subsequent proceedings, taxed and paid in manner pointed out in the Seventh Section of this Act, for the recovery of the Verdict alone, when given in his favor, but if such second Verdict shall find a lesser sum due to the Owner for compensation than the first Verdict, such Owner shall pay Costs, to be taxed, in manner in this Section before mentioned.