

Third arbitrator. the said party or of the Company (previous notice of at least one clear day having been given to the arbitrator of the other party) appoint a third arbitrator.

Duties of arbitrators. The said arbitrators, or sole arbitrator, being sworn before a Justice of the Peace faithfully and impartially to perform the duties of their office, shall proceed to ascertain the compensation to be paid by the Company in such a way as they, or he, or a majority of them shall deem best, and the award of such arbitrators, or of any two of them, or of the sole arbitrator, shall be final and conclusive: Provided, that no such award shall be made, nor any official act done by such majority except at a meeting held at a time and place of which the other arbitrator shall have had at least one clear day's notice, or at some meeting at which the third arbitrator was present, or of which he shall have had notice, shall have been adjourned; but no notice to the Company or opposite party shall be necessary, but they shall be held sufficiently notified through the arbitrator which they have appointed, or whose appointment they shall have required.

Award, when to be made. Provided always, that the award given by any sole arbitrator shall never be for a less sum than that offered by the Company aforesaid; and if, in any case where three arbitrators shall have been appointed, the sum awarded be not greater than that offered by the Company, the costs of the arbitration shall be borne by the opposite party and deducted from the compensation, otherwise they shall be borne by the Company; and in either case they may, if not agreed upon, be taxed by such Justice as aforesaid.

Costs. The arbitrators, or a majority of them, or the sole arbitrator, may, in their discretion, examine on oath, or solemn affirmation, the parties, or such witnesses as shall voluntarily appear before him or them, and may administer such oath or affirmation; but this shall not prevent the arbitrators from acting and deciding upon their personal knowledge of the merits of the case, or from using such knowledge as they shall think just and right; and any wilful false statement made by any witness, under such oath or affirmation, shall be deemed wilful and corrupt perjury, and punishable accordingly.

May examine parties or witnesses. The Justice by whom any third arbitrator, or sole arbitrator, shall be appointed, shall, at the same time, fix a day on or before which the award shall be made, and if the same be not made on or before such day, or some other day to which the time of making it shall have been prolonged, either by the consent of the parties or by the order of any such Justice (as it may, for reasonable cause shown, on the application of such sole arbitrator, or one of the arbitrators, after one clear day's notice to the others), then the sum offered by the Company, as aforesaid, shall be the compensation to be paid by them.

Time limited for award. If the party appointed by any Justice, as third Arbitrator, shall die before the award be made, or shall refuse to act or fail to act, within a reasonable time, then, upon the application of either party, any such Justice being satisfied, by affidavit or otherwise, of such disqualification, refusal or failure, may, in his discretion, appoint another in his stead; and if the Arbitrator appointed by the said Company, or by the opposite party, shall die before the award shall be made, or shall leave the Province, or become unable to act within a reasonable time, (such fact being ascertained, to the satisfaction of some Justice, as attested by his certi-