

any lands (describing them—a declaration that the Company are ready to pay some certain sum (or rent, as the case may be,) as compensation for such lands or for the damages arising from the exercise of such power—and
 5 the name of a person whom they may appoint as their Arbitrator if their offer be not accepted—and such notice shall be accompanied by the certificate of some sworn Surveyor for Upper Canada, disinterested in the matter, and not being the Arbitrator named in the notice, that the
 10 land (if the notice relate to the taking of land) is shown on the map or plan deposited as aforesaid, as being required for the said Railroad and works, or as being within the limits of deviation hereby allowed from the line of the said Railroad, that he knows such land, or the amount of
 15 damages likely to arise from the exercise of such powers, and that the sum so offered is in his opinion a fair compensation for such land and for such damages as aforesaid.

Offer.
 Name of Arbitrator.
 Certificate of a Surveyor that the offer is a fair one, &c.

If the opposite party be absent from the County in which the lands lie or be unknown to the said Company,
 20 then upon application to the County Judge for such County, accompanied by such Certificate as aforesaid, and by an affidavit of some Officer of the Company, that such opposite party is so absent, or that after diligent inquiry the party on whom the notice ought to be served cannot
 25 be ascertained, such Judge shall order a notice as aforesaid (but without the certificate) to be inserted three times in the course of one calendar month in some newspaper published in the said County.

If the party be absent or unknown.

If within ten days after the service of such notice, or
 30 within one month after the first publication thereof as aforesaid, the opposite party shall not notify to the Company, that he accepts the sum offered by the said Company, or notify to them the name of a person whom he appoints as Arbitrator, then such County Judge as aforesaid shall, on the application of the said Company, appoint
 35 some sworn Surveyor for Upper Canada, to be sole Arbitrator for determining the compensation to be paid by the Company.

Party not accepting the Company's offer, and not appointing an Arbitrator.

If the opposite party shall, within the time aforesaid,
 40 notify to the said Company the name of the person such party shall appoint as Arbitrator, then the said two Arbitrators shall jointly appoint a third, or if they cannot agree upon a third, then the County Judge of the County in which the lands lie, shall, on the application of the said
 45 party or of the Company, (previous notice of at least one clear day having been given to the other party,) appoint a third Arbitrator.

Opposite party appointing an Arbitrator.
 Third Arbitrator.

The said Arbitrators or any two of them or the sole Arbitrator, being sworn before some Justice of the Peace
 50 for the County in which the lands lie as aforesaid, faith-

Duties of Arbitrators after being sworn.