

appointed by an Act of the Legislature of the Province of Upper Canada, and the other *Two* Arbitrators shall be appointed by an Ordinance to be made by the existing Legislature of the Province of Lower Canada; and such Arbitrators shall within *One* calendar Month after the appointment of the *Four* Arbitrators, nominate and appoint by an instrument or instruments under their hands and seals an Umpire. 5

59.
In default of
such ap-
pointment,
Her Majesty
may appoint.

And be it Enacted, That in case such Arbitrators shall not be appointed in manner aforesaid within *Six* calendar Months after the *passing of this Act*; or in case such appointment as aforesaid of an Umpire shall not be made within *One* calendar Month from the appointment of all the said Arbitrators, then and in either of such cases it shall be lawful for Her Majesty, by an instrument under Her sign manual, to appoint any person or persons resident within the Province, in respect of which the Arbitrator or Arbitrators shall not have been appointed, to be an Arbitrator or Arbitrators, to fill up their number, and also to appoint any person, to be such Umpire as aforesaid. 10 15

60.
Arbitrators
may be
removed.

And be it Enacted, That each of the said Arbitrators shall be liable to be removed by the party by whom any such Arbitrator shall respectively have been appointed. 20

61.
Vacancies to
be supplied.

And be it Enacted, That in case of the death, resignation, removal or refusal to act of any of the said Arbitrators, or the death, resignation or refusal to act of the said Umpire, another Arbitrator or Umpire shall be appointed in his stead, in the same manner and by the same parties respectively, and subject to the same restrictions as such Arbitrator so dead, resigning, removed or refusing to act as aforesaid, or such Umpire, was originally appointed; and the place of every Arbitrator appointed by the Legislature of either Province, and also the place of an Umpire appointed by the Arbitrators, shall be filled up within *One calendar Month* of the vacancy taking place, or in default, by Her Majesty, as hereinbefore provided in the case of an original appointment. 25 30

62.
Powers to
Arbitrators
to send for
papers and
records.

And be it Enacted, That the said Arbitrators shall have power to send for and examine such persons, papers and records as they shall judge necessary for their information in the matters referred to them; and that if any person shall refuse or neglect to attend the said Arbitrators, or to produce before them any papers or documents, having been duly served with reasonable notice in writing for that purpose, he shall forfeit and pay to the said Arbitrators the sum of *Fifty Pounds*, to be recovered by bill, plaint or information in any court having competent jurisdiction within the Province in which such person usually resides, to be applied towards the expenses of the said 35 40