

become disqualified or unable to act, then, on proof thereof to the satisfaction of any such Judge or Justice, such Judge or Justice shall authorize the Company, or the opposite party, or the two arbitrators, to appoint another person in the place of him who shall be
 5 so deceased, disqualified or unable to act, or shall himself appoint another person as third arbitrator as the case may require, but no commencement or repetition of any prior proceeding shall be necessary;

The Company may desist from any such notice as aforesaid, and afterwards give notice with regard to the same or other lands, to the same
 10 or to any other party; but they shall in any such case be liable to the party first notified for all damages or costs by him incurred in consequence of such first notice and desistment. Company may desist payment.

It shall be no disqualification to the person offered as valuator or as
 15 arbitrator that he be employed by the Company or by the opposite party, or that he have previously expressed an opinion as to the amount of compensation, or that he be related or of kin to any member of the Company, provided he be not himself personally interested in the amount of such compensation; and no cause of disqualification shall be urged against any arbitrator appointed by any such Judge after his
 20 appointment, but shall be made before the same, and its validity or invalidity summarily determined by such Judge, and no cause of disqualification shall be urged against any arbitrator appointed by the Company, or by the opposite party after the appointment of a third arbitrator, and the validity or invalidity of any cause of disqualification
 25 urged against any such arbitrator, before the appointment of a third arbitrator, shall be summarily determined by any such Judge on the application of either party, after one clear day's notice to the other, and if such cause be determined to be valid, the appointment shall be null, and the party offering the person so adjudged to be disqualified shall be held to have appointed no arbitrator;

30 No award as aforesaid, shall be invalidated by any want of form or other technical objection, if the requirements of this Act shall have been complied with, and if the award shall state clearly the sum awarded, and the lands or other property, right or thing for which such sum
 35 is to be the compensation; nor shall it be necessary that the party or parties to whom the sum is to be paid be named in the award. Award not avoided by want of form.

24. Upon payment or legal tender of the compensation or annual
 rent so awarded or determined or agreed upon by the parties themselves as aforesaid, to the party entitled to receive the same, or upon
 40 the deposit of the amount of such compensation in the manner herein-after mentioned, the award shall vest in the said Company the power forthwith to take possession of the lands, or to receive the right or to do the thing for which such compensation or annual rent shall have been awarded; and if any resistance or forcible opposition shall be
 45 made by any person or party to their so doing, and such Justice of the Peace may, on proof to his satisfaction that the requirements of this Act have been complied with, issue his warrant to any Sheriff or to any Bailiff or other proper person, to put the said Company in possession and to put down such resistance or opposition, which such Sheriff
 50 or Bailiff or other proper person, taking with him sufficient assistance, shall accordingly do the whole at the costs of the proprietor refusing to yield such possession. Possession may be taken on payment, tender or deposit of sum awarded.