

Proviso as to  
parties  
neglecting to  
appoint an  
Arbitrator, or  
the Arbitrators  
not agreeing at  
a third

shall pay therefor; and upon such sum  
being ascertained, it shall be lawful for the 2  
said Company to tender such sum to the said  
party claiming compensation therefor: Pro- 4  
vided always, that if any such owner or 6  
owners shall neglect to name an Arbitrator  
for the space of twenty days after having  
been notified so to do by the President of 8  
the Company, or if the said two Arbitrators  
cannot agree upon such third Arbitrator, 10  
the Judge of the County Court of the  
County within which such Road or Bridge 12  
shall be situate, shall nominate one of the  
Township Councillors of one of the Town- 14  
ships next adjacent to that in which such  
work shall be situate, to be either the second 16  
or the third Arbitrator, or both, in lieu of the  
one so to be appointed and named, but not 18  
appointed or agreed upon by the party, or  
by the two-first named Arbitrators as afore- 20  
said.

Arbitrators to  
be sworn

XIII. And be it enacted, That the said 22  
Arbitrators so appointed shall take before  
some one of Her Majesty's Justices of the 24  
Peace for the County within which such Road  
or Bridge, or some part thereof is situate, 26  
an oath to the following effect, that is to say:

Their oath

" I, A. B., do swear that I will well and 28  
" truly try, hear and examine into such  
" claims as may be submitted to me for 30  
" compensation for such materials as have  
" been taken by the (naming the Company), 32  
" from the property of (naming the party)  
" for the use and purposes of the work for 34  
" the construction of which the said Com-  
" pany is incorporated; and that I will also 36  
" well and truly examine into the claim of  
" such person, for compensation for damages 38  
" consequent upon the construction of the  
" said work, and that I will give a true 40  
" judgment and award thereon to the best of  
" my knowledge and ability; and that in 42  
" determining such award, I will take into  
" due consideration the benefits to be derived 44  
" to the said party as well as the injury done  
" to him thereby: So help me God." 46