

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 a Judge of the said Superior Court as aforesaid, after his 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 urged against any such Arbitrator, before the appointment of a third Arbitrator, shall be summarily determined by any Judge of the said Court as aforesaid, 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:

No award made as aforesaid shall be invalidated by any want of form or other technical objection, if the requirements of this Act shall have 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 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.

XX. And be it enacted, That upon payment or legal tender of the compensation or annual rent so awarded, agreed upon or determined as aforesaid, to the party entitled to receive the same, or upon the deposit of the amount of such compensation in the manner hereinafter mentioned, the award or agreement shall vest in the said Company the power forthwith to take possession of the lands, or to exercise the right, or to do the thing for which such compensation or annual rent shall have been awarded or agreed upon; and if any resistance or forcible opposition shall be made by any person or party to their so doing, any Judge of the said Superior Court, residing in the District of Montreal, may, on proof to his satisfaction that the requirements of this Act have been complied with, issue his warrant to the Sheriff of the District, or to any Bailiff of the Court, (as in his discretion may be most suitable,) to put the said Company in possession, and to put down such resistance or opposition, which such Sheriff or Bailiff, taking with him sufficient assistance, shall accordingly do; Provided also, that such warrant of possession shall also be granted by any such Judge at any time after the first notice containing the appointment of an Arbitrator by the Company, upon proof by affidavit of the Engineer or some other officer of the Company, to his satisfaction, that immediate possession of the land, or power to do the thing in question, is necessary to the carrying on of the works of the said Company, the adverse party being summoned, by one clear day's notice, to appear before such Judge, and the Company giving such security as the said Judge shall direct; to pay the sum to be awarded, with interest from the day on which the warrant shall be granted, and all lawful costs, within ten days from the date of the award, such security not being for less than twice the sum offered by the Company in the notice to such adverse party.

Possession may be taken on payment, &c., of sum awarded.

Proviso.

XXI. And be it enacted, That the compensation awarded as aforesaid, or agreed upon by the said Company, and any party who might under this Act validly convey the lands or tenements or then in lawful possession thereof as proprietor, for any lands which might be lawfully taken under this Act without the consent of the

Compensation to stand in place of land.