

such appointment, or in case the said two arbitrators so appointed as aforesaid cannot agree upon a third person as an arbitrator, or in case the person owning the land required be absent from this Province or unknown, or there shall not be any guardian or trustee for infants or others as aforesaid; then and in any or all of the aforesaid cases, it shall be lawful to and for the said John Watson, his heirs, executors or legal representatives, to apply to the Judge of the County Court of the County wherein such lands are situate, to appoint a sole arbitrator for the purposes aforesaid, and the said Judge for the time being of the said Court, shall upon such application in writing to him (which application shall state the lands required and give a description of the same and the quantity thereof) appoint a sole arbitrator for all or any of the purposes aforesaid, and who shall swear said arbitrator so appointed by him, well and faithfully to perform his duty as an arbitrator in the premises, and the award of such arbitrator shall be final in the premises and shall be made within one calendar month next after such his appointment and notification thereof to him.

IV. Upon payment by the said John Watson, his heirs, executors or legal representatives, to the owner or owners, guardians, trustees or others interested in such lands as aforesaid, of the amount which shall be awarded in manner aforesaid, to be paid to them respectively or any of them, or upon payment of the same (for the parties entitled thereto) into the office of either of the Superior Courts of law for Upper Canada or to the Clerk of either of said Courts, and at the same time filing with such Clerk or in the said office a copy of said award, the said John Watson his heirs, executors, legal representatives and assigns shall and may take possession of such lands and hold the same unto him, his heirs and assigns forever, free and clear of all charges, claims or incumbrances whatsoever; and the said John Watson, his heirs, executors or legal representatives shall also be bound and obliged to file a copy of such award in the Registry office of the County, wherein the lands are situate, within three calendar months after such award shall be made, as against subsequent purchasers of such lands.

V. The Court into which such monies shall be so paid as aforesaid, shall have full power to order the said Clerk of the said Court to pay the said monies to the parties entitled to the same, in accordance with the order of such Court, made on application therefor by the party or parties entitled to such monies; and such order shall be final in the premises, proof to the satisfaction of said Court, being first given by the claimant or claimants of such monies, that he, she or they are entitled to the same.

VI. This Act shall be deemed a Public Act.

Public Act.