

An Act to regulate the Costs of Arbitrations.

FOR restraint of unreasonable charges attending Arbitrations; Her Preamble.
Majesty, by and with the advice and consent of the Legislative
Council and Assembly of Canada, enacts as follows :

1. No Arbitrator who is not by profession and calling a Barrister, Fees to Arbitrators not
Attorney, Engineer, Architect, or Deputy Provincial Land Surveyor, being Barristers, Archi-
shall be entitled to demand or take for his attendance and services as tects, &c.
an Arbitrator any greater fees than are hereinafter set down in the
Schedule in this Act marked A.

2. No Arbitrator who is by profession and calling a Barrister, Fees to Arbitrators being
Attorney, Engineer, Architect, or Deputy Provincial Land Surveyor, Barristers,
shall be entitled to demand or take for his attendance and services as Architects,
such Arbitrator any greater fees than are hereinafter set down in the &c.
Schedule to this Act marked B.

3. No greater fees shall be taxed or allowed to any persons called Fees to wit-
as witnesses before any Arbitrator or Umpire than would be taxed and nesses.
allowed to the same persons in an ordinary suit before a Court having
jurisdiction over the subject matter of reference.

4. Whenever, at any meeting of Arbitrators of which due notice has In case of ab-
been given to the respective parties, no proceedings are taken in sence of par-
sequence of the absence of either of the parties or because a postpone- ties or post-
ment is made by the Arbitrators at the request of either party to some ponement at
future day, the Arbitrators shall make up an account of the costs of their request.
such meeting, including the proper charge for their own attendance and
that of any witnesses, and of the Counsel or Attorney of the party
present or not desiring such postponement, and shall charge the amount
thereof against the party making default in attending, or at whose
request the postponement shall have been made, and such last-named
party shall be bound to pay the same to the other, whatever may be
the event of the award and reference, and the Arbitrators shall in the
award make any direction or adjudication necessary for that purpose,
and if such sum be payable by the party in whose favor the award is
otherwise made, it may be set off against, and deducted from, any
amount awarded in favor of that party.

5. Either party to an Arbitration shall be entitled to have the costs Taxing of
thereof taxed, including the fees to the Arbitrators, by the Master of costs.
either of the Superior Courts at Toronto having jurisdiction of the
cause; or in cases where the Arbitrators determine the amount of the
costs, or where there is no cause in Court, by the Master to be named
in a Judge's order, which may be granted for that purpose on a proper
application on affidavit, setting forth the facts.