

sink and lay down pipes, trunks, reservoirs, and other conveniences, and from time to time to alter all or any of the said works, as well in the position as in the construction thereof, as to the said Commissioners or their successors shall seem meet, doing as little damage as may be in the execution of the powers hereby granted to them, and making reasonable and adequate satisfaction to the proprietors, to be ascertained in case of disagreement by arbitration as aforesaid: Provided always, that nothing herein contained shall be construed to authorize the said Commissioners or any person acting under their authority, to take for the purposes of the said works, any house, garden, or orchard, without the consent of the owner.

Proviso.

VI. If any person shall wilfully or maliciously hinder or interrupt, or cause or procure to be hindered or interrupted, the said Commissioners or their managers, contractors, servants, agents or workmen, or any of them, in the exercise of any of the powers and authorities in this Act authorized and contained, or if any person shall wilfully or maliciously let off or discharge any water so that the same shall run waste or useless out of the said works, or if any person shall throw or deposit anything, or noisome or offensive matter into the said water or water-works, or in any way foul the same, or commit any wilful damage or injury to the works, pipes, or water, or encourage the same to be done, every person offending in any of the cases aforesaid shall, besides being subject to an action at law for the damages done thereby, be held guilty of a misdemeanor, and upon conviction thereof before any of the courts of criminal jurisdiction in the County of Lincoln, or a magistrate of the said County or Town, shall be punished by the said Court, by fine and imprisonment or either, at the discretion of the Court as in other misdemeanors at common law or by summary conviction.

Persons doing damage or injury to works to be held guilty of misdemeanor.

VII. All materials procured or partially procured under contract with the Commissioners, shall be exempt from execution, but it shall be the duty of the Commissioners to pay the moneys due to such contractor for such materials to the judgment creditor of the contractor, under whose execution such materials ought otherwise to have been sold, upon his producing to them due proof that his execution would have so attached, and such payment shall be held as valid payment on the contract.

Materials procured under contract with Commissioners exempt from execution.

VIII. The Commissioners shall keep regular books of account and books for recording the whole of their official proceedings, and the said Commissioners and the clerks employed in their service shall be sworn to the faithful performance of their duties, and all such books shall be open to the examination of any person or persons appointed for that purpose by the Mayor and Town Council of the Town of St. Catherines: The Commissioners shall also, on the thirtieth day of June and the thirty-first day of December, in each and every year, make a Report to the said the Mayor and Town Council of the Town of St. Catherines, of the condition of the works under their charge, accompanied by a statement of their receipts and expenditures on account of the same.

Commissioners to keep books of accounts, &c.

And to make a report every six months,

IX. The Board of Commissioners for the time being shall regulate the distribution and use of the water in all places and for all purposes where the same may be required, and from time to time shall fix the prices for the use thereof, and the times of payment, and they may erect such number of public hydrants and in such places as they shall see fit, and direct in what manner and for what purposes the same shall be used; all which

Board to regulate distribution and prices for the use of the water.