

Act, but shall be liable to him for the reasonable value of such lands heretofore patented, purchased and expropriated by the said Jenison in connection with the said enterprise within one mile of Ecarte Rapids or Kakabeka Falls, and for the reasonable value of the plans and surveys as may be found to be of benefit, and such other work of construction as has been done by the said Jenison, and on payment of the sum so found into court the said lands, works and surveys shall become the absolute property of the said corporation or its assigns. Any lands so acquired by the said corporation not reserved for the purposes of the undertaking may be sold by the said corporation.

24. The compensation to be paid as aforesaid shall be ascertained and determined in the manner provided by section 20 of *The Railway Act of Ontario*, all the provisions of which section are hereby incorporated with and made part of this Act; and the said Town of Fort William shall have the right, for the purpose of constructing, maintaining and operating the said works to exercise the powers conferred by the said section 20 upon any railway company to which the provisions of the said section may be applicable, and the said town shall be subject to all the liabilities imposed by the said section upon any such company and generally the several subsections of the said section 20 shall be read as a part of this Act with the several amendments necessary to make the same applicable to the said town and the said works instead of to a railway company as its railway, and in any arbitration under the provisions thereof, the arbitrators shall not make any allowance to the said Jenison in the respect of any right to generate electrical power or to supply water or in respect of his franchises therefor or for prospective profits.

Arbitration.

25. The agreement bearing date the 11th day of March, A. D. 1902, between the Corporation of the Town of Fort William and The Kakabeka Falls Land and Electric Company, Limited, executed by the solicitors of the respective parties thereto, which is set forth in schedule C hereto, is declared to be valid and to be binding upon the said corporation and the said company, the terms thereof are hereby incorporated in and made a part of this Act.

Agreement with Kakabeka Falls Company ratified.

26.—(1) The Corporation of the Town of Fort William shall upon request from the Corporation of the Town of Port Arthur, supply the said corporation, and the said corporation shall be entitled to obtain surplus electric power or energy for municipal, domestic, commercial or other purposes over and above the amount from time to time required by the said Town of Fort William for any purpose at such prices and upon such terms and conditions as may be agreed upon by the said corporations, or in default of agreement, as may be settled and determined by the Lieutenant-Governor in Council.

Request of Port Arthur.

(2) In case the Corporation of the Town of Fort William has not developed sufficient surplus electric power or energy over and above the amount from time to time required by said town for any purpose to supply the demand of Port Arthur for all or any of the purposes aforesaid, the Corporation of the Town of Port Arthur shall be entitled from time to time to apply to the Lieutenant-Governor in Council for an order or direction, that the Corporation of the Town of Fort William develop further electric power or energy, and the said Corporation shall develop such further electric power or energy, not exceeding the whole amount authorized, upon such terms and conditions as the Lieutenant-Governor in Council may determine and supply the surplus thereof over and above the amount from time to time required by said town for any purpose to the extent asked by Port Arthur at such prices and upon such terms and conditions as may be agreed upon between the said corporations or in default of agreement as the Lieutenant-Governor in Council may fix and determine.

Referred to Lieutenant Governor in Council.

(3) The Lieutenant-Governor in Council may authorize and direct the transmission of said power by any route and by any method or appliances.