

adjudge and order the respective sums of money which the said Company shall pay to the respective persons entitled to receive the same, the award of the majority of whom shall be final; and the said arbitrators shall be, and they are hereby required to attend at some convenient place, at or in the vicinity of the said City, to be appointed by the said Company 5 after eight days notice given for that purpose by the said Company, then and there to arbitrate and award, adjudge and determine such matters and things as shall be submitted to their consideration by the parties interested; and that each arbitrator shall be sworn before some one of Her Majesty's Justices of the Peace, in and for the 10 said County of Wentworth, or the said City, any of whom may be required to attend the said meeting for that purpose, well and truly to assess the value or damages between the parties according to the best of his judgment; Provided always, that any award made under this Act shall be subject to be set aside on application to the Court of 15 Queen's Bench, in the same manner and, on the same grounds as in ordinary cases of arbitration, in which case a reference may be again made to arbitration as herein before provided; and that any sum so awarded shall be paid within three months from the date of award, or determination of any motion to annul the same, and in default of such payment, 20 the proprietor may resume the possession of his property, and all his rights shall thereupon revive. And in the event of any party so disagreeing, omitting or refusing to appoint an arbitrator, the Judge of the County Court of the County of Wentworth may, upon application to the Company, as often as occasion may require, name an arbitrator in his stead, and the 25 award of such arbitrator and those to be named as aforesaid, or a majority of them shall be binding on all parties concerned subject as aforesaid.

Proviso,  
award may be  
set aside.

Empowered  
to erect certain  
works.

III. And be it further enacted by the authority aforesaid, That the lands and water which shall be so ascertained, set out or appropriated, by the said Company for the purposes thereof, as aforesaid, shall there- 30 upon and for ever thereafter be vested in the said Company, and their successors, but subject nevertheless to the provision hereinbefore contained for the resumption of the same; and it shall and may be lawful for the said Company and their successors to construct, erect and maintain upon the said lands all such reservoirs, water works and machinery re- 35 quisite for the said undertaking, and to convey the waters thereto and therefrom in, upon, or through any of the grounds and lands lying intermediate between the said reservoirs and water works, and such springs and streams, and the said City of Hamilton, by one or more lines of pipes as may from time to time be found necessary, and for the better 40 effecting the purposes aforesaid, the said Company and their successors and their servants are hereby empowered to enter and pass upon, and over, the said grounds and lands intermediate as aforesaid; and the same to cut and dig up if necessary, and to lay down said pipes through the same, and upon, over and through the highways and roads of the Town- 45 ship of Barton, in the said County of Wentworth, and through the public ways, streets, lanes or other passages of the said City of Hamilton; and in, upon, through or under the lands, grounds and premises of any person or persons, bodies corporate, politic or collegiate whatsoever; and to set out, ascertain, use and occupy such part or parts thereof, as they the 50 said Company or their successors shall think necessary and proper for the making and maintaining of the said works, and for distributing the waters of the said Company's establishment to the different inhabitants of the said