

pective 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 Commissioners after eight days' notice given for that purpose by the said Commissioners, 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 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, to the best of his judgment; Provided always, that any award under this Act shall be subject to be set aside on application to the Court of 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 hereinbefore 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 the proprietor may resume the possession of his property, and all his rights shall thereupon revive and the award of a majority of the said arbitrators shall be binding on all parties concerned subject as aforesaid.

Proviso.

Lands, &c., taken for purposes of Water Works to be vested in the Mayor, &c., of Hamilton.

V. The lands and water which shall be ascertained, set out, or appropriated by the said Commissioners for the purposes thereof as aforesaid, shall thereupon and for ever thereafter be vested in the Mayor, Aldermen, and Commonalty of the City of Hamilton and their successors, and it shall and may be lawful for the said Commissioners and their successors to construct, erect, and maintain upon the said lands all such reservoirs, water works, and machinery requisite 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 waterworks, and the springs, streams, rivers, or lakes, from which the same are procured 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 effecting the purposes aforesaid, the said Commissioners, their successors, and 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 the said pipes through the same and upon, over, under, and through the highways, railroads, and roads of and in the townships of the 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 said Commissioners or their successors shall think necessary and proper for the making and maintaining of the said works, or for taking up, removing, altering, or repairing the same, and for distributing water to the inhabitants of the City of Hamilton, or for the uses of the corporation of the said city, or of the proprietors or occupiers of the lands through or near which the same may pass, and for this purpose to 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

Proviso.