

**An Act to enable the City of Hamilton to construct Water Works, and to provide means for defraying the expense thereof.**

**W**HEREAS the construction of Water Works and a supply of water Preamble.  
would conduce to the health and comfort of the inhabitants of the  
City of Hamilton ; Therefore Her Majesty, &c., enacts as follows :

I. The persons hereafter to be elected in the manner provided for in this Board consti-  
5 Act, and their successors, shall constitute a Board to be called and known tuted.  
as the Water Commissioners for the City of Hamilton.

II. It shall be the duty of the said Commissioners to examine, consider, Duty of Com-  
and decide upon all matters relative to supplying the said City of Hamil- missioners.  
10 its inhabitants and the amount of money necessary to effect that object.

III. The said Commissioners shall have power to employ engineers, sur- Commissioners  
veyors, and such other persons as in their opinion may be necessary to en- may employ  
able them to fulfil their duties under this Act. Engineers, &c.

IV. It shall and may be lawful for the said Commissioners, their agents, Commissioners  
15 servants, and workmen from time to time, and at such times hereafter as may enter upon  
they shall see fit, and they are hereby authorized and empowered to enter lands, &c.  
into and upon the lands of any person or persons, bodies politic or corpor-  
ate in the City of Hamilton or within twenty miles of the said city, and to  
20 survey, set out and ascertain such parts thereof as they may require for the  
purposes of the said water works, and also to divert and appropriate any  
spring or stream of water thereon as they shall judge suitable and proper,  
and to contract with the owners or occupiers of the said land and those  
having an interest or right in the said water for the purchase thereof  
or of any part thereof or of any privilege that may be required  
25 for the purposes of the said Commissioners ; and in case of any  
disagreement between the said Commissioners and the owners or  
occupiers of such lands or any persons having an interest in the  
said water or the natural flow thereof, or any such privilege as  
aforesaid, respecting the amount of purchase or value thereof, or as to the  
30 damages such appropriation shall cause to them or otherwise, or in case  
any such owner or occupier shall be an infant, married woman, or insane  
or absent from this province, or in case said lands or water privilege may  
be mortgaged or pledged to any person or persons it shall and may  
be lawful for the Judge of the County Court of the County of Wentworth,  
35 on application being made to him, to nominate and appoint three indiffer-  
ent persons as arbitrators to award, determine, adjudge, and order the res-  
pective sums of money which the said Commissioners shall pay to the res-  
Arbitration in  
case of dis-  
agreement as  
to value of  
property.