

8. If there shall be any doubt as to whom the compensation for any real estate required by the corporation shall or ought to be paid, or to whom the offer of payment ought to be made, the corporation shall in such case deposit the amount of the said compensation in the hands of the Prothonotary of the said Superior Court, at Quebec, to abide the judgment of the said Court relative to the distribution of the said sum among the parties who shall be entitled thereto; and the said Court shall prescribe the mode of calling in all parties interested, and make such order or decision in relation to the same as in its discretion shall seem just and reasonable.

If doubts exist as to whom compensation is to be made.

9. The preceding clauses shall apply to the case where the said corporation shall desire to exercise a right of way or servitude, or cause works to be done on any private property; the corporation shall have the power to exercise these rights, or cause such work to be done, after payment, or offer of payment, or deposit, of the amount of indemnity that it may deem reasonable in such case, and if the parties interested shall not agree with the said corporation respecting the amount, or the award and choice of the *experts*, the proceedings above mentioned shall be followed according as the case may be.

How preceding clauses shall apply.

10. The said corporation shall have power to dig, break up and remove the soil, fences, sewers, drains, pavements and gravelled ways, of any public highways, roads, streets, squares, hills, market-places, lanes, open areas, alleys, yards, courts, waste grounds, footways, quays, bridges, gates, tollgates, enclosures, ditches, walls, boundaries, and other passages and places, but making or causing no unnecessary damage; and to enter upon and make use of any private lands, and use the same, and to dig and sink branches; and lay and drive pipes, appurtenances and accessories thereof, and to widen common passages, for the laying and fixing of pipes and all such matters and things as may be necessary thereto, and necessary to convey the water to houses, or other buildings, and also to alter, repair, replace and maintain such pipes, and other materials and works, and finally make and do any other act, as shall or may be necessary or expedient for the purposes of the present Act.

Corporation may break up streets, &c.

11. It shall be lawful for the said corporation to pass pipes along the outside of any house or other building, to furnish water to any other property, and open and unpave common passages, and make trenches to lay pipes and other appurtenances and accessories, and in such case shall indemnify the proprietors for any damage occasioned to, or sustained by them.

May pass pipes along the outside of house, &c.

Indemnity.

12. Whoever, having the right to do so, shall open or cause to be opened any trench, shall take care to preserve a free and uninterrupted passage through the street or place, while the works are in progress, and shall fill up the trenches and replace the pavement and ground in the same condition as that in which they were before the works were begun, and without unnecessary delay; and shall cause the place where the ground shall be opened, or broken up as aforesaid, to be fenced or guarded with lamps, or with watchmen during the night, so that the same may not be dangerous to passengers, upon pain of a fine or penalty of twenty dollars, to be recovered before the Recorder's Court, by summary process, and upon oath of one credible witness. This fine shall not deprive any person injured by the said excavation of a right to an action of damages against the corporation.

Precaution to be observed by those making trenches.