

out and ascertain such part thereof and to divert and appropriate any spring or stream of water thereon as said Company shall judge suitable and necessary for the purposes and uses of said Company, and to contract with the owners or occupiers of said lands and those having any interest or right in the natural flow of the said water from such springs or streams or of any part thereof, for the purchase thereof, or any part thereof, or of any privilege that may be required for the purposes and uses of said Company, and in case of any disagreement between said Company and the owners or occupiers of such lands, or the persons having any interest or right in the said water, or the natural flow thereof, or of any part thereof respecting the purchase or value thereof, or as to the damages caused to them by such appropriation, or otherwise, it shall and may be lawful to refer the same to impartial arbitration in the manner usual in such cases, as provided for in the *Railway Clauses Consolidation Act*, and the award given in such cases shall be final and binding; Provided always, that said Company, their Managers, Agents, Servants and Workmen, shall not take, use, injure, or damage, for the purposes and uses of said Gas and Water Works any house, garden, orchard, plantation or pleasure grounds, nor convey from the premises of any person any Water already appropriated to and necessary for his or her domestic uses, without the consent of the owners thereof or parties entitled thereto first had and obtained.

As to compensation therefor.

XVI. And be it enacted, That for the purpose of extending the mains or pipes conveying the said Gas and Water, or either of them from the works of the said Company to the consumers thereof, beyond the limits of the liberties of the said City of Toronto, or for the purpose of conveying Water or Gas into the said City, it shall be lawful for the said Company after ten days notice in writing to the Reeve and County Council of the County of York to do and perform all the necessary works for extending or carrying the said Water or Gas over or along any part of the public streets or highways in the said County of York in the same manner, and with the same precautions, and under the like penalty which are pointed out in regard to such works within the said City of Toronto by the foregoing section; the Reeve and County Council of the County of York having the same power conferred and duties imposed upon them, in regard to the said County as the Mayor, Aldermen, and Common Councilmen of Toronto in regard to the said City.

In case of extension of pipes beyond the City, notice to be given to Reeve of the County of York.

XVII. And be it enacted, That where there are buildings within the said City of Toronto, the different parts whereof shall belong to different proprietors, or shall be in possession of different tenants or lessees the said Company shall have power to carry pipes to any part of any building so situated, passing over the property of one or more proprietors or in the possession of one or more tenants, to convey the Gas or Water, or either of them to that of another or in the possession of another the pipes being carried up and attached to the outside of the building; and also to break up and uplift all passages which may be a common servitude to neighboring proprietors, and to dig or cut trenches therein for the purpose of laying down pipes, or taking up or repairing the same, the said Company doing as little damage as may be in the execution of the powers granted by this Act, and making satisfaction thereafter to the owners, or proprietors of buildings or other property, or to any other party for all damages to be by them sustained in or by the execution of all or any of the said powers, subject to which provisions this Act, shall be sufficient to indemnify the Company, or their servants, or those by them employed for what they or any of them shall do in pursuance of the power granted by this Act.

In case of buildings with different tenants.