

out and ascertain such parts thereof as they may require for the purpose 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 lands 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 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 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 such 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, on application being made to him, to nominate and appoint three indifferent persons as arbitrators, to award, determine, adjudge and order the respective sums of money which the said Commissioners 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 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 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