

And to take  
lands for it.

upon all lands through which he may wish to make the channel hereinafter mentioned, to make surveys so as to determine the best line for a water course or channel leading from the Dam so to be erected on the south side of Smith's Creek aforesaid, through the lots numbers thirty-seven and thirty-six, and also thirty-five in the eighth concession of the said Township, and also through part of lot number thirty-five in the seventh concession of the said Township, into the Creek at a point not far from Piper Street in the Village of Ayr—and upon determining the site of the said water course or channel shall have full power and authority to acquire, take and hold, to him and his heirs and assigns forever, all lands so required, whether the same shall belong to persons who are infants or minors, or whether the same shall be held in trust for any purpose or purposes, or howsoever the same may be, or any portion of the same, upon his or their complying with and fulfilling the provisions hereinafter made and provided for paying for the land so required, and all damages which may accrue by reason of the making of such channel to the parties owning such lands.

And to make  
and use the  
water course.

And also shall have full power and authority to make and carry such water course or channel across any side line or road allowance which shall intervene between the said place where the said Dam is so to be built, and the point on said Smith's Creek into which the said water course or channel is again to be taken, provided that the side line or lines, is, or are not obstructed, so as to prevent travellers from freely using and enjoying the same, by the said channel being taken across the same; and when the said channel or water course is so made, to take and convey whatever water he and they or any of them shall require in, by and through the same from the said Creek at the said Dam.

Certain parties enabled to convey such lands to the said John Watson.

II. All corporations and persons whatever, tenants in tail, or for life, guardians, curators, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of those whom they represent, whether infants, issue unborn, lunatics, idiots, *femes covert*, or other persons or bodies corporate, or any religious body or society or congregation of Christians or otherwise, who are or shall be seized, possessed of or interested in any lands, may contract for, sell and convey unto the said John Watson, his heirs and assigns, in fee simple, all or any part thereof; and any contract, agreement, sale, conveyance and assurance so to be made shall be valid and effectual in law to all intents and purposes whatsoever; any law, statute, usage or custom to the contrary thereof in anywise notwithstanding; or any other deed, matter or thing which might otherwise hinder or prevent the same; and in case of any disagreement between any of the aforesaid parties or persons and the said John Watson, his heirs, executors or legal representatives, either upon the value of the lands and tenements proposed to be taken or purchased as aforesaid or upon the amount of damages to be paid as aforesaid, it shall and may be lawful to and for the said John Watson, his heirs, executors or legal representatives, to nominate and appoint an indifferent person, who, together with one other person to be nominated and appointed by the party or person or persons so disagreeing as aforesaid, shall elect a third, which three shall be the arbitrators between the aforesaid parties respectively, the award of the majority of whom shall be final.

Provision for arbitration in case of difference.

Appointment of an arbitrator by a Judge in default of the party, &c.

III. In case any of the parties or persons aforesaid shall not within ten days next after being notified by the said John Watson, his heirs, executors or legal representatives, in writing, of his or their appointment of an arbitrator as aforesaid, name and appoint another arbitrator and notify said John Watson, his heirs, executors or legal representatives aforesaid of