

An Act respecting Drainage on and across the property of Railway Companies.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

1. This Act may be cited as *The Railway Drainage Act*, Short title.
6 1898.
2. The words "drains" and "drainage" in this Act shall include respectively all kinds of drains or sewers, open or covered, or constructed of tiles, and the removal of surplus water through natural watercourses or by drains. Interpretation.
"Drains,"
"Drainage."
- 10 3. Subject to the provisions of this Act, municipalities and landowners shall have the right of drainage on and across the property of any railway company, to the same extent as they have by law on and across the property of any other landholder. Right of drainage across railways.
- 15 4. Every railway company shall permit the opening and construction of all necessary drains and outlets for drains, and the opening, widening and deepening of outlets for natural watercourses, which are required for the drainage of lands adjacent to the property of such railway company, or which
20 are constructed or opened under the authority of any municipality. Railway company to permit drainage.
5. Every existing ditch, drain, creek or watercourse, situate on the property of a railway company, and running along or under its railway, may be deepened, widened or extended,
25 and any existing bridge or culvert in the road-bed of such railway may be deepened or widened, or a new bridge or culvert may be constructed, when it is found and reported upon by the engineer of any municipality adjacent to the railway, as required by this Act, or agreed and reported upon as hereinafter provided, that such works are necessary as an outlet for any
30 creek or watercourse, or of any ditch or drain that has been or is to be constructed under the authority of such municipality, and that such works can be done without detriment to the safety of the railway : Provided that such works shall be done
35 in such a manner as not to injure the bridges, culverts or road-bed of the railway, or in any way interfere with the traffic thereof. Existing drains on company's land may be enlarged.
Culverts.
Railway not to be injured.
6. Any owner of land adjacent to the property of a railway company, or of land, the natural drainage of which passes
40 through such property, and who wishes to secure drainage Adjoining land owners may obtain surveyor's re-