

“Land.” (f.) The expression “land” includes all granted or ungranted, wild or cleared, public or private lands, and all real property, messuages, lands, tenements and hereditaments of any tenure, and all real rights, easements, servitudes and damages, and all other things for which compensation is to be paid by Her Majesty under this Act ; 5

“Lease.” (g.) The expression “lease” includes any agreement for a lease. R. S. C., c. 39, s. 2.

## POWER TO TAKE LAND, &amp;c.

Powers of the Minister. 3. The Minister may, by himself, his engineers, superintendents, agents, workmen and servants,— 10

Entering lands, &c. (a.) Enter into and upon any land to whomsoever belonging, and survey and take levels of the same, and make such borings, or sink such trial pits as he deems necessary for any purpose relative to the public work ; 15

Taking possession. (b.) Enter upon and take possession of any land, real property, streams, waters and watercourses, the appropriation of which is, in his judgment, necessary for the use, construction, maintenance or repair of the public work, or for obtaining better access thereto ; 20

Deposit and removal of materials. (c.) Enter with workmen, carts, carriages and horses upon any land, and deposit thereon soil, earth, gravel, trees, bushes, logs, poles, brushwood or other material found on the land required for the public work, or for the purpose of digging up, quarrying and carrying away earth, stones, gravel or other material, and cutting down and carrying away trees, bushes, logs, poles and brushwood therefrom, for the making, constructing, maintaining or repairing the public work ; 25

Temporary roads. (d.) Make and use all such temporary roads to and from such timber, stones, clay, gravel, sand or gravel pits as are required by him for the convenient passing to and from the works during their construction and repair ; 30

Drains. (e.) Enter upon any land for the purpose of making proper drains to carry off the water from the public work, or for keeping such drains in repair ; 35

Changing course of streams, &c. (f.) Alter the course of any river, canal, brook, stream or watercourse, and divert or alter, as well temporarily as permanently, the course of any such rivers, streams of water, roads, streets or ways, or raise or sink the level of the same, in order to carry them over or under, on the level of, or by the side of, the public work, as he thinks proper ; 40

Proviso. but before discontinuing or altering any public road, he shall substitute another convenient road in lieu thereof ; and the land theretofore used for any road, or part of a road, so discontinued, may be transferred by the Minister to and shall thereafter become the property of the owner of the land of which it originally formed a part. R. S. C., c. 39, s. 3. 45