

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 Interpretation.  
include respectively all kinds of drains or sewers, open or "Drains."  
covered, or constructed of tiles, and the removal of surplus "Drainage."  
water through natural watercourses or by drains.
- 10 3. Subject to the provisions of this Act, municipalities and Right of  
landowners shall have the right of drainage on and across the drainage  
property of any railway company, to the same extent as they across rail-  
have by law on and across the property of any other land- ways.  
holder.
- 15 4. Every railway company shall permit the opening and Railway com-  
construction of all necessary drains and outlets for drains, and pany to per-  
the opening, widening and deepening of outlets for natural mit drainage.  
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 municipi-  
pality.
5. Every existing ditch, drain, creek or watercourse, situate Existing  
on the property of a railway company, and running along or drains on com-  
under its railway, may be deepened, widened or extended, pany's land  
25 and any existing bridge or culvert in the road-bed of such rail- may be en-  
way may be deepened or widened, or a new bridge or culvert larged.  
may be constructed, when it is found and reported upon by Culverts.  
the engineer of any municipality adjacent to the railway, as required  
30 by this Act, or agreed and reported upon as hereinafter pro-  
vided, that such works are necessary as an outlet for any  
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. Railway not  
to be injured.
6. Any owner of land adjacent to the property of a railway Adjoining  
company, or of land, the natural drainage of which passes land owners  
40 through such property, and who wishes to secure drainage may obtain  
surveyor's re-