

# MUNICIPAL DEPARTMENT

## NEW DRAINAGE ACT.

Following are the provisions of the new Drainage Aid Act, passed at the recent session of the Ontario Legislature :

1. This Act shall apply to that portion of the trunk channel constituting the outlet of any drainage work as defined by the Municipal Drainage Act and of any drainage works now constructed or hereafter to be constructed for effecting drainage by embanking, pumping or mechanical means.

2. The provisions of this Act shall be applicable to the construction or reconstruction of any drainage work mentioned in the preceeding section thereof.

3. The council of the municipality initiating the construction or reconstruction of any drainage work as above described shall be the applicant for aid to the Lieutenant-Governor of the province of Ontario in any case where assistance is sought.

4. The application shall be by way of petition and shall set forth engineer's report on the proposed work after adoption by the council initiating the work, the assessments upon the lands interested therein or affected thereby, and the cash value of the lands so assessed in parcels as described by the engineer in making his assessment, and such petition shall be verified by the the statutory declaration of the engineer employed by such municipality to make the report, and a field plan of the proposed work shall be furnished with the petition.

5. Should the said report and field plan show that the proposed work was being undertaken for any of the following purposes : (a) To improve that portion of the trunk channel for the outlet for the drainage work ; (b) to furnish capacity over intervening high lands to a natural or other outlet ; (c) to render more effective the operating of a drainage work by embanking, pumping or other mechanical means ; then in every such case the Lieutenant-Governor-in-Council may cause an examination of the drainage work referred to in petition and field plan to be made by engineer of Public Works Department, whose duty it shall be to report fully upon the contemplated work and all matters connected therewith, and upon his report the Lieutenant-Governor-in-Council may assume and pay such proportion of the cost of the undertaking as may seem just and reasonable in the public interest and as may be approved by the Legislative Assembly.

6. This Act may be known as Provincial Drainage Aid Act.

## LEGAL DECISIONS AFFECTING MUNICIPALITIES.

His Honor Judge Hardy has handed out judgment in the case of Cornell vs. Township of Brantford, dismissing the action against the township. The case is of considerable importance to the municipal authorities. It was contended on behalf of the plaintiff that all roads in the township should be kept free from snow during the winter. In the present case the road leading from Brantford to Lynden was drifted full of snow two to eight feet deep for about fifty rods, early in the winter of 1898. Instead of trying to dig this drift out, the council opened up a driveway to the east side of the road. Just after the new year, the plaintiff, in turning off the sideroad to the centre, broke his horse's leg. The action was for \$200, the value of the horse. The Judge holds that the council used proper judgment in opening up a road around the drift instead of

attempting to dig it out. This decision will apply to all country roads.

## REMOVAL NOTICE.

On May 1st the Montreal office of this publication was removed to larger quarters in the Imperial Building, 107 James street. Customers will always find the office open during business hours, and visitors in Montreal are extended a cordial invitation to call at the office, where they will be given every possible assistance and furnished with requisites for answering correspondence. The telephone number is Main 2299.

Mr. Angus Smith, of Ridgetown, Ont., has been appointed city engineer of the city of Stratford, Ont., at a salary of \$800.

Mr. J. E. Vanier, of Montreal, has been re-appointed city surveyor and engineer for the municipality of St. Henri, a suburb of Montreal.

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