

provide sufficient capacity for the conveyance and discharge of the waters into such an outlet as will cause no damage to adjoining lands; and whereas the sum of ten million dollars more or less has been expended in the construction and maintenance of such drainage schemes, and large sums of money, in addition to private expenditure, have been loaned by the Legislature of the Province of Ontario for the construction of tile or under drainage, and as the best results have not and cannot be realized from such expenditure without providing an effective main channel for the removal and safe discharge of all waters conveyed by such under drainage and the branches or laterals of the main channel, it is expedient that the Legislature in the public interest should grant such aid as will assist in improving and perfecting the principal outlet for such water, and whereas on account of the great expense of providing the main channel with sufficient depth, and with sufficient capacity to produce the best results from under drains, award drains and drainage works constructed by by-laws, many municipalities have been wholly unable to undertake and carry out, at the expense of the lands interested, such works as will perfect the whole drainage system within the watershed, and thus render it most effective in the drainage of the lands and in the cultivation and value thereof; and whereas numerous large tracts of submerged lands have been reclaimed by embanking and rimping and other mechanical means to the great advantage of the Province, although in some cases the results of the work undertaken for such purposes are not satisfactory because of insufficient outlet; and whereas the intention of this Act is not in any way to interfere with any of the provisions of the Municipal Drainage Act, or of any other Acts relating to the removal of surface water, but on the contrary to supplement the provisions of the said act so as to encourage and assist the construction and reconstruction of the main channels and pumping or artificial outlets in cases where the levying of the costs required to provide the same would be greater than the lands interested therein or affected thereby could be reasonably expected to bear.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

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 other mechanical means.

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

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 the 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 and in parcels as described by the engineer in making his assessment, and such petition shall be verified by 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 provide or improve that portion of the trunk channel constituting 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; and then and in every such case the Lieutenant-Governor in-Council may cause an examination of the drainage work referred to in the petition and field plan to be made by an engineer of the 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 and in the public interest and as may be approved by the Legislative Assembly.

This Act may be known and cited as The Provincial Drainage Aid Act.



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