

## Amendments to Drainage Laws.

The bill, an act respecting ditches and watercourses, prepared after receipt of the report of the drainage commissioners for the province of Ontario and sent out to councils, engineers, public officers, etc., with a view to getting an expression of opinion thereof of councils and others interested in the subject, or familiar therewith, before the next session of the legislature, is one which should receive earnest attention, and those interested should not fail to express their opinion of the bill or any part thereof.

The Ditches and Watercourses Act is one which has done a great deal within the last few years towards the advancement of the drainage of agricultural lands, and has also done away with considerable difficulty between neighbors in assisting them to get proper outlets for their drains.

Some individuals and municipal councils expressed their dissatisfaction with the act in evidence before the board of commissioners, but the trouble appears to have arisen on account of the act being employed in performing work for which it was not intended. Large drains have been constructed under its provisions which should have been constructed under the drainage provisions of the Municipal Act. The intention of the legislature in framing the law, no doubt, was that the main outlets or larger drains, the straightening of creeks, etc., should be constructed under the drainage provisions of the Municipal Act, and that such drains should be constructed of sufficient capacity to accommodate all waters from the lands in the water shed in which the said drains were situated, and that all of such lands should be assessed for their fair portion of the cost of constructing the said outlet, their elevation and distance from the drain being considered. After such drains were made the lands lying away from them, but assessed, should have some means by which they could avail themselves, when they desired, of the outlet for which they were paying.

There are also lands lying probably a mile from a well-defined stream or outlet which require small drains constructed through depressions or watercourses of very small extent. Again, there is a small depression or sink hole on Jim Smith's farm and it is necessary to cross a portion of the land of Thomas Brown—Smith's neighbor—to reach an outlet. Smith and Brown quarrelled some years ago about a line fence and the best of relationship does not now exist between them, and for this reason no agreement can be arrived at as to the construction of the required outlet drain. It is for such matters as this, where the cost is too great to put the whole machinery of the drainage provisions of the Municipal Act in operation on account of the extent of the work that

the Ditches and Watercourses Act was framed, and if it was employed only as intended a great deal of the opposition to it would be removed. Many of its particulars are, of course, conflicting and obscure, and, in some cases, cumbersome, and it certainly requires amending, but the intention of the act is good, and now that the legislature has re-written the act with a great many of these particulars changed, and have given those interested a year in which to consider its provisions and submit proposals, it is their duty to discuss the matter to its fullest extent, to enable the legislature, before passing the bill, to make it as just as possible.

Under the present act, where the parties have been notified to meet to try, if possible, to agree on the portions of the drain to be made, and a road belonging to the municipality happens to be interested, it should be made compulsory on the municipal council to appoint one of its members to attend all such meetings, and provision should be made for granting authority to such person to sign, on behalf of the council, any agreement which may be come to, and said signature should be binding on the corporation. Such appointment should be made by by-law.

As at present, it very often happens that the person appointed to represent the council at preliminary meetings is not clothed with the authority to sign agreements which will bind the municipality. It is very troublesome and expensive to call the council together within three days after the meeting in order that they may authorize the signing of the agreement.

Section 4, of the act, provides that the ditch or drain shall be kept and maintained; so opened, deepened or widened by the owners respectively and their successors in such ownership in such proportions as they have been so opened, deepened or widened. This provision, as to maintenance, is certainly wrong. Liberty should be given the engineer to vary in his award the maintenance, so that it should not be necessary to follow the basis of construction. The work of repairs should be as much as possible confined to the work on the owners' own land. In order to make the work equitable in this respect, some owners should be given more work of construction in consideration of lightening his obligation for maintenance or vice versa, adjusting the construction and repairs by making the owner of the land through which the drain runs, liable for the maintenance on his land. In this way more attention will be paid to keeping the drain in good repair.

As at present the owner's work of construction is given in whole or in part on his neighbor's land, and the drain will be allowed, through the carelessness of that neighbor to get out of repair more readily than it otherwise would, he knowing that he could call upon the other man, at any

time to make the repairs. The provisions for construction and maintenance should be separate considerations, and after the drain is constructed it would be better to make every man keep the drain on his own land in repair.

The circumstances in connection with drains are so varied that the commissioners have taken a proper view when they recommend that both the construction and maintenance be left to be regulated by the engineer, who being on the ground has all the facts before him, and should be left free to exercise his judgment as to maintenance and construction, in order that the award may be just and equitable.

## The People will Have to Pay.

Roadmaking is easy enough for any-body to comprehend from the road which is made by one wagon following the track of another till the grass is worn away by hoofs and wheels, to the road that is laid with care and regularity, and presents a hard and even surface, that is neither very dusty in dry weather, nor very muddy in wet.

That we have not as many of the kind of roads last described as we ought to have, is due to the fact that the country is new, and sparsely settled, in comparison with its extent, and also to the fact that we have not paid as much attention to the subject of good roads as we should have done. We are beginning, however, to make up for lost time in this respect—that is, we have advanced to the point of discussing the subject, and that prepares the public mind for the next step, which we may assume will be the counting of the cost. The people will have to pay that, and so it is possible to interest, even those who have no idea what bad roads there are in the vicinity of great cities in the matter.—

*Exchange*

## India Rubber Roads.

New ideas in paving have lately attracted attention, says Siftings. Among these is the paving of a bridge by a German engineer with india rubber, the result having been so satisfactory as to induce its application on a much larger scale, a point in its favor being that it is much more durable than asphalt and not slippery.

In London a section of the roadway under the gate leading to the departure platform of the St Pancras terminus has for some time past been paved with this material, with the effect of deadening the sound made when being passed over on wheels, besides the comfortable elasticity afforded to foot passengers.

Another material which is being satisfactorily introduced for this purpose is composed of granulated cork and bitumen pressed into blocks, which are laid like bricks or wood paving, the special advantage secured in this case being that of elasticity.