

An Act to Amend The Ditches and Watercourses Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Sub-section 1 of section 22 of *The Ditches and Watercourses Act* is amended by striking out the words "from the filing thereof" in the third line and inserting in lieu thereof the words "from the date of the mailing or service of the last of the notices of the filing of the award as provided in section 18."

An Act to Amend The Public Parks Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Sub-section 4 of section 17 of *The Public Parks Act* is amended by inserting therein after the words "park purposes" in the fifth line the following words :

"And for making permanent improvements upon any lands theretofore acquired by the Board for park purposes."

An Act to Amend The Municipal Light and Heat Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. *The Municipal Light and Heat Act* is amended by adding the following as section 3a :

3a. The corporation shall have power to acquire by purchase, or without the consent of the owners thereof or persons interested therein, to enter upon, take and use any lands in the municipality which may be required by the said corporation for its works and plant, or any extensions thereto, paying for the said lands such sum as may be agreed upon, or, in default of agreement, as may be determined by arbitration in accordance with the provisions of *The Consolidated Municipal Act, 1903*, and amendments thereto.

Act to Amend The Municipal Waterworks Act

This Act relates wholly to the election of Commissioners under the Act, and is as follows :

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

Election of Commissioners.

1. (1) Clause (b) of subsection 1 of section 41 of *The Municipal Waterworks Act* as enacted by section 2 of the Act passed in the sixth year of His Majesty's reign, chaptered 40, is amended by inserting after the word "election" in the first line of the said clause the words "held under this section" ;

(2) Clause (c) of the said subsection is amended by adding after the word "election" in the first line of the said clause the words "held under this section" ;

(3) Clause (d) of the said subsection is amended by inserting after the word "election" in the second and seventh lines the words "held under this section" ; and by adding after the word "equal" in the third line of the said clause the words "or in case both members are elected by acclamation" ; and by adding after the word "votes" in the eighth line the words "or in case such four members are elected by acclamation."

Vacancies Caused by Retirement of Candidates.

2. The said subsection 1 of section 41 is further amended by adding thereto the following clauses :

(e) In case at any election held under this Act the candidates or any of them who are nominated retire and by reason of such retirement the requisite number of persons to be elected is not in nomination, any candidate or candidates nominated and not retiring shall be declared elected by acclamation, and the council of the municipality shall order an election to be held in the manner provided by *The Consolidated Municipal Act, 1903*, to fill the vacancy so caused.

(f) Where the election is for two members at the first election under this Act, and one member is elected by acclamation under the preceding subsection, then such member so elected by acclamation shall hold office for two years, and the other member subsequently elected for one year, and in case the election is for four members and two are elected by acclamation, the two so elected shall hold office for two years and the two subsequently elected for one year. In case three are elected by acclamation at such first election, the two having the largest assessment on the last revised assessment roll shall hold office for two years and the third one so elected by acclamation and the one subsequently elected shall hold office for one year. And where only one is elected by acclamation the one so elected by acclamation shall be one of those to hold office for two years, and in case of a contest at a subsequent election, the one having the highest number of votes or in case of an equality of votes, having the highest assessment on the last revised assessment, or in the case of an election by acclamation, then the one having the highest assessment on the last revised assessment roll shall be the other to hold office for two years, and the other two subsequently elected shall hold office for one year.

3. Clause (e) of subsection 1 of section 41 of the said Act is amended by numbering the same (g) instead of (e).

4. The said subsection 1 of section 41 of *The Municipal Waterworks Act* shall be read and construed as if it had been originally enacted as amended by this Act.

An Act to Amend The Municipal Drainage Act

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

Minor Repairs.

1. The Municipal Drainage Act is amended by inserting therein the following as section 78a :

78a. The council of any municipality may by by-law direct that the Inspector appointed under section 78 shall from time to time remove from any drainage work all weeds and brushwood, fallen timber or other minor obstructions for which the owner of the lands adjacent the drainage work may not be responsible and the cost of such work shall be chargeable from time to time against the lands assessed for the maintenance of the drainage work and in the proportion fixed by the by-law authorizing the drainage work, but it shall not be necessary to assess and levy the amount so charged more than once in every five years after the passing of such first mentioned by-law, unless in the meantime the total expense incurred shall exceed the sum of \$100.

Change in Notice With Publication of By-law.

2. Subsection 1 of section 21 of *The Municipal Drainage Act* is amended by striking out the words "High Court of Justice" in the twelfth line thereof and substituting therefor the words "Drainage Referee."

Time for Filing Engineers Report to be fixed by Council When Over Six Months After Filing Petition.

3. Subsection 8 of section 9 of *The Municipal Drainage Act* as enacted by section 6 of chapter 28 of the Acts passed at the second session held in the 62nd year of the reign of Her late Majesty Queen Victoria, is amended by striking out all the words thereof after the word petition in the second line thereof and substituting therefor the words "or within such further time as the council may in their discretion from time to time appoint, and the council may adopt the report of the engineer if they see fit notwithstanding that such report is made after the six months herein fixed for making the same or after any extended period fixed by the council under this subsection."

4. *The Municipal Drainage Act* is amended by adding thereto the following section :

9a. To remove doubts it is hereby declared that where any by-law has been passed by the council of any municipality for the construction of any drainage work under this Act, upon a report of the engineer which has been adopted by the council, and where the time for moving to quash such by-law has expired under this Act, and no application to quash the same has been made, such by-law