

port for proposed drainage work.

along or across such property, may procure a land-surveyor, duly qualified according to the law of the province in which such land is situated, to report upon the proposed drainage work; and such landowner and land surveyor shall have respectively the same rights and duties as are conferred upon and assigned to a municipality and the engineer of such municipality by this Act, and such land-surveyor is hereinafter referred to as the engineer of such landowner. 5

Engineer to report,

7. The engineer of a municipality or land owner, making a report under this Act, shall report whether the drainage works desired by the municipality or landowner are necessary for the proper drainage of the lands affected thereby, or in order to afford an outlet for such drainage, and shall prepare a plan showing such proposed works in so far as they affect the property of the railway company, and also a plan and profile of the enlargement of any bridge or culvert, but only to show the extent, depth and width of the required enlargement of such bridge or culvert, or of any new bridge or culvert, as the case may be, together with a statement of the estimated cost of the work to be done upon the lands of the company, including the costs of any excavation required to be made in enlarging or constructing any bridge or culvert, and a statement of what proportion, if any, of the cost of such drainage work should in his opinion be borne by the railway company. 10 15 20

Make plan of work,

Statement of case, and apportionment.

Report, plans, etc., to be sent to company.

8. The clerk of the municipality, or the engineer of the landowner desiring to have such drainage works constructed, shall send to the manager of the railway company, by registered letter, a copy of the report, plans, profiles and estimates made by the engineer in accordance with the next preceding section. 25 30

Company to notify parties interested.

2. The manager of the company, or some one acting on his behalf, shall, within fifteen days after receiving such report forward to the clerk of the municipality interested, or to the landowner, by registered letter, a notice stating whether he approves or disapproves of the said report. If he approves of it, his letter of approval, together with the said report, and the plans, profiles and estimates, shall be filed in the office of the clerk of the municipality in which the said drainage work is situated, or, if it extends into two or more municipalities, with the clerk of each municipality; and the said letter and report shall constitute a bargain binding on all parties concerned and liable for the performance of the work, or the cost thereof, upon the lands of the railway company, and shall not be subject to appeal. 35 40

Approval of report by company.

Disapproval of report by company.

3. If the manager of the railway company objects to the said report, in whole or in part, he shall, in such notice, state his objections, and shall also fix a day, not later than twenty, nor earlier than fifteen days from the mailing of such notice, upon which the engineer of the railway, or some one acting on his behalf, will meet the engineer of the municipality, or of the landowner, at the place where the work is proposed to be done, for the purpose of arriving at an amicable agreement as to the work objected to by the manager of the railway, or as to the cost thereof. 45 50