

Section 29 reads as follows: "The engineer shall, within ten days after receipt of notice in writing of the supplying of material and completion of the work let, as in the next preceding section mentioned, inspect the same, and shall, if he find the material furnished and the work completed, certify the same in writing (Form H), stating the name of the contractor, the amount payable to him, the fee and charges which the engineer is entitled to for his services, rendered necessary by reason of the non-performance, and by whom the same are to be paid."

Turning to Form H in the schedule to the Act, which may be looked at to interpret the provisions of the text of it, the form of the certificate is given. It is addressed to the clerk, and reads as follows:—

"I hereby certify that.....has furnished the material and completed the work"—that is, the person to whom the work had been let—"which under my award made in accordance with the provisions of the Ditches and Watercourses Act, and dated the.....day of.....A.D. 189 , one....., owner of lot number (describe his land, giving township or otherwise), was adjudged to perform, and having failed in the performance of the same, it was subsequently let by me to the said ..... for the sum of \$....., and as he has now completed the performance thereof, he is entitled to be paid the said amount.

"I further certify that my fees and charges for my services rendered necessary by reason of such failure to perform are (give items) \$....., and said amount payable to the said contractor and the said fees and charges are chargeable on (describe property to be charged therewith), under the provisions of the Ditches and Watercourses Act, unless forthwith paid."

It will be noticed that while the section by which the form is prescribed says that the engineer is to certify by whom the money is to be paid, the form contains no provision of that character, but simply a provision for certifying that the amount payable to the contractor is chargeable on the property, which must of course mean the property upon or in respect of which the drain was by the award required to be constructed.

Then section 30 provides as follows: "The council shall, at their next meeting after the filing of the certificate or certificates as in the next preceding section mentioned, pay the