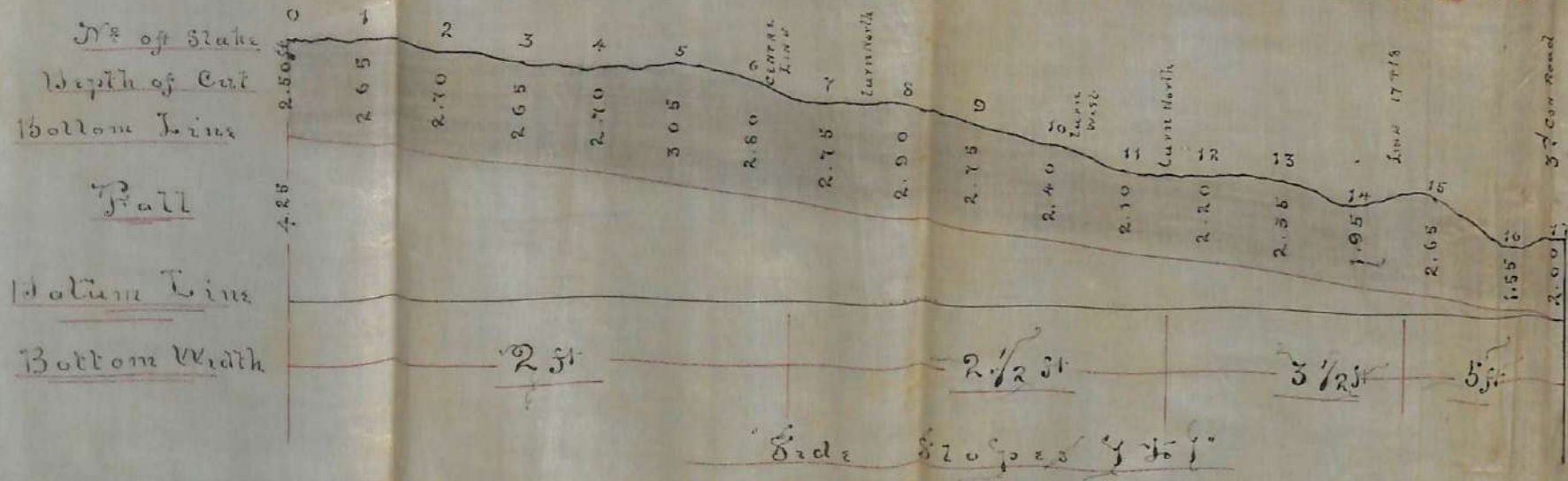


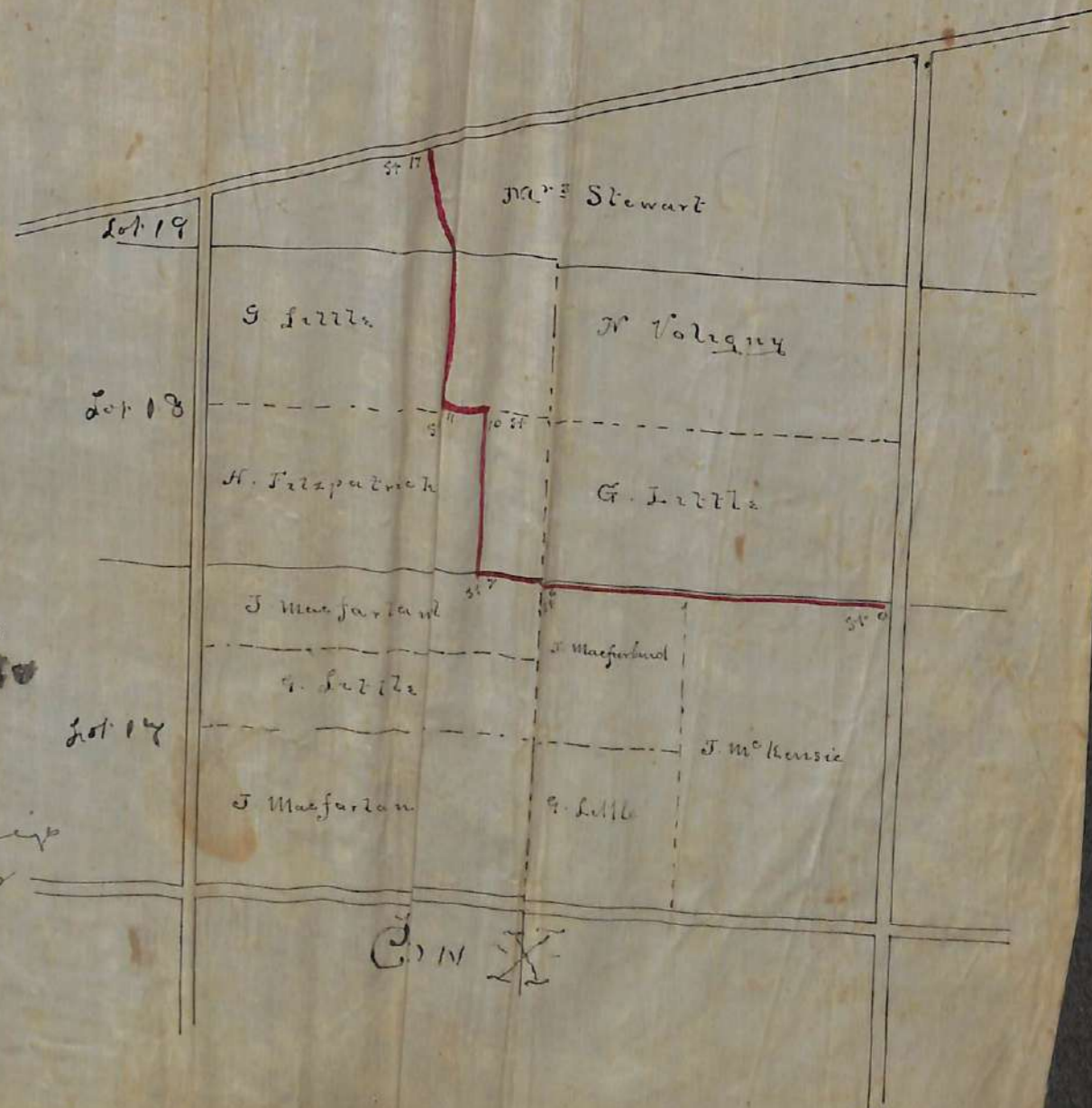
PLAN OF M^cKENSIE DRAIN



Essel

March 8th
1840

A. J. Halford
Journalist
Engineer =



I *Chas. McK* the Engineer appointed by the Municipality of the Township of Sandwich South in the County of Essex under the provisions of the Ditches and Water Courses Act having been required so to do by the requisition of *Geo. W* McKenzie owner of the Easterly part of Lot Number 17 in the Tenth Concession of the Township of Sandwich South did file with the Clerk of the said Municipality and representing that he requires certain work to be done under the provisions of the said Act for the draining of the said land and that the following other ^{lands} ~~roads~~ will be effected
Viz.

Joseph Lavin S.E. 1/4 of Lot 18 Con X

Thomas McFarlane N.W. 1/4 of E 1/2 10th Concession.

The location description and course of the Ditch and its point of commencement and termination is as follows:

The ditch as at present located commences in the south side of the line between Lots 17 and 18 about 12 rods west of the 11th Concession Road and runs in a irregular course about 8 feet more or less south of the said line between lots 17 and 18 to a point about 7 rods west of the line between the lands of the said *Geo. W* McKenzie and Thomas McFarlane where it turns to the North side of the said line between lots numbers 17 and 18, then continuing in an irregular course in some places close to the line fence and at other places several feet distant therefrom until it enters the Little 10th Concession Drain at the Bline Line dividing the easterly and westerly halves of said Lots in said Tenth Concession.

I find that it will be necessary to change the location of portions of this ditch and repair, deepen and improve the remaining portion of the drain as follows:

The improved ditch shall commence in the south side of the line between Lots number 17 and 18 at the distance of about 12 rods from the West side of the 11th Concession Road measuring westerly along said limit and be continued easterly to a point about 7.1/2 rods west of the limit between the lands of *Geo. W* McKenzie and Thomas McFarlane.

thence Northerly to the North side of said line between Lots I7 and I8,

thence Westerly along the North side of said line to the Little Tenth Concession Drain a total distance of $123.1/2$ rods more or less.

the Ditch shall have a bottom width of two feet six inches throughout and a top width not less than would be derived by giving the sides a slope of one foot horizontal to one foot vertical with the given bottom widths.

the edge of ditch shall be kept a uniform distance of $2.1/2$ feet south from the line between Lots I7 and I8, *where ditch is South of saw line, and $2 1/2$ feet North from said line where ditch is North of saw line*
the Centre line of said ditch shall be kept in a straight line throughout excepting at the turn from South to North side of Drain. *at stake 6 + $2 1/2$ rods*

No bends or deviations in the course *of saw ditch* with the above exception will be allowed.

All trees, stumps, brush or other obstructions shall be removed from the site of the drain.

At the turn from South to North side of the fence the turns shall be rounded to a radius of 6 feet.

the Said ditch shall be excavated to the depths shewn on profile and as directed by the Engineer.

The earth excavated from the ditch shall be cast on the side opposite to that side on which the fence is erected and spread over a space not less than one rod leaving a clear berm of four feet between the excavated material and the side of the drain

I do therefore award and apportion the work and the furnishing of material among the lands affected and the owners thereof according to my estimate of their respective interests in the said work as follows:

Geo. R. McKenzie owner of the easterly part of the E $1/2$ of said Lot I7 shall make complete and hereafter maintain that portion of the drain commencing at stake 0 and extending to stake 5 a distance of 60 rods which I value at \$96.00 He shall also make, complete and hereafter maintain that portion of the drain

commencing at the west line of his lands $6\frac{3}{4}$ rods more or less west of stake 5 and extending to a point where the drain turns and enters the north side of said drain ^{line between Lots 17 & 18} a distance of about $7\frac{1}{2}$ rods which I value at \$6.75

Joseph Lavin owner of the S.E. $\frac{1}{4}$ of Lot 18, shall make, improve and hereafter maintain that portion of the drain on lands of *Geo. R.* McKenzie commencing at stake 5 and extending to the line between the said lands of *Geo R* McKenzie and Thomas McFarlane a distance of $6\frac{1}{4}$ rods which I value at \$10.15

He shall also make, improve and hereafter maintain that portion of the drain commencing at the point where the drain enters the North side of the line between Lots 17 and 18 and extending about $2\frac{1}{2}$ rods west of stake 6 and extending to a point 8 rods west of stake 8 a distance of $29\frac{1}{2}$ rods which I value at \$32.45 He shall also grub and remove a tree now standing in the line of said ditch and any stumps, brush etc, that may be in the way of keeping the ditch in a uniform straight line, which latter I value at \$4.00

Thomas McFarlane owner of the W part of the E $\frac{1}{2}$ of said Lot 17 shall make improve and hereafter maintain that portion of the drain commencing at a point 8 rods west of stake 8 and extending to the Little Tenth Concession Drain a distance of $19\frac{1}{2}$ rods which I value at \$20.90 He shall also remove any shrubs, stumps, or other obstructions in the drain that would tend to deviate the drain from a straight course which latter I value at \$1.00

My fees and other charges, attendant upon and for making this ward \$14.50 including Clerks Fees and for examination of drain \$5.00 as herein set forth which shall be borne and paid as follows:

<i>Geo R.</i> McKenzie	Engineers fees	\$6.00	Clerks fees	.50
Joseph Lavin	"	"	6.00	.50
Thomas McFarlane	"	"	6.00	.50
			<u>18.00</u>	<u>1.50</u>
Total charges			\$19.50	

I further award that each portion of the drain shall be constructed and maintained in accordance with the foregoing specifications, Plan and Profile accompanying this award and that each party to the award shall have his or her portion of the drain completed on or before April 15th 1914

This ditch shall be known and cited as the McKenzie Drain Ditches and Water Courses Act.

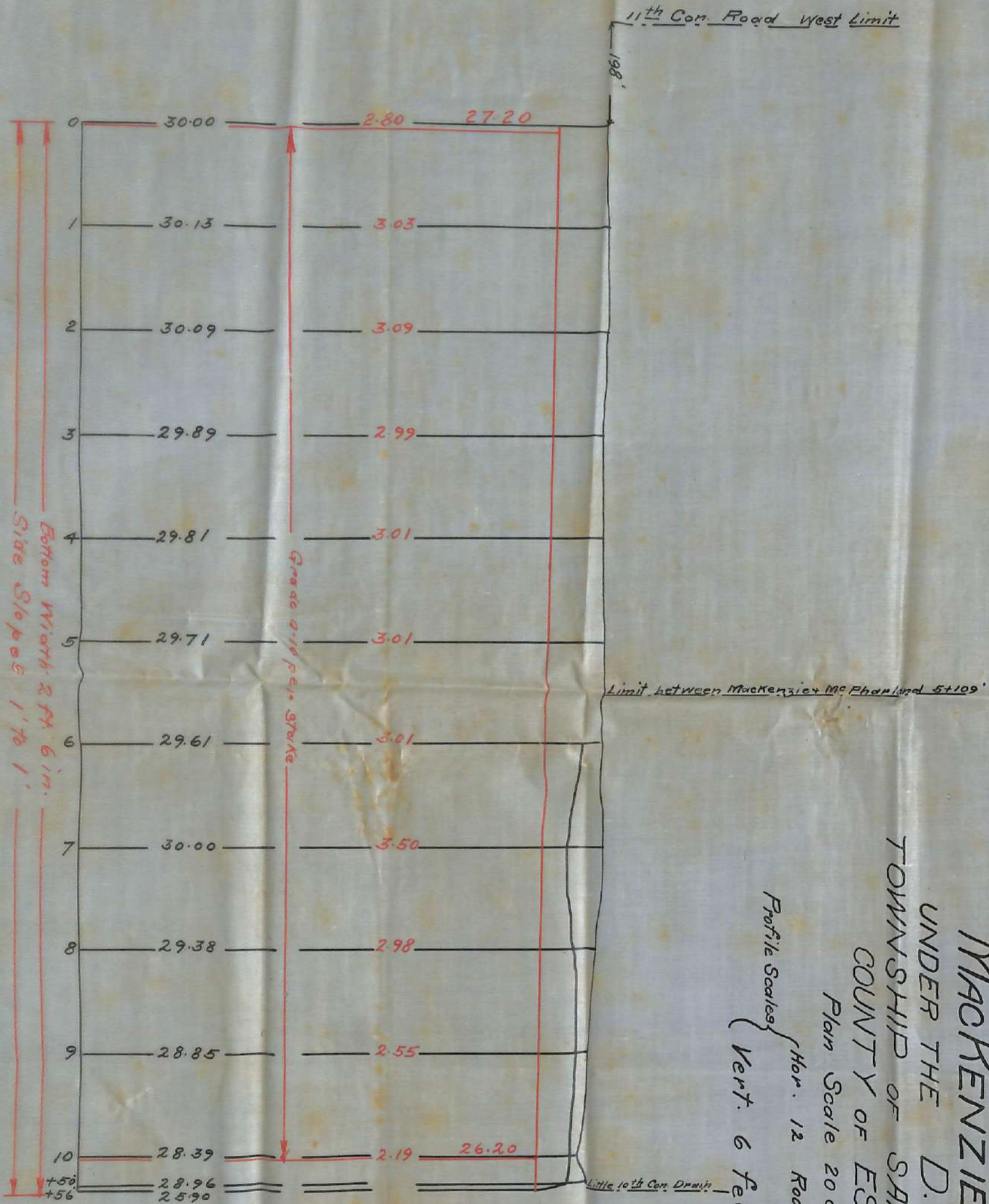
Owen McKay
Civil Engineer

Dated this 14th day of Nov A.D. 1913.

Award, filed with Clerk, Nov 15th
but cuts and specifications mailed direct
to parties concerned, from Engineers office
Nov 21 (Engineers promise)
Copy of Award mailed to each party
Nov 26th by Registered letter by clerk

PLAN & PROFILE OF THE MACKENZIE DRAIN UNDER THE D. & W. C. ACT. TOWNSHIP OF SANDWICH SOUTH COUNTY OF ESSEX, ONT.

Profile Scales {
Hor. 12 Rods to 1 inch
Vert. 6 feet to 1 inch



TH

Owen McKay
 Ont. L^y Surveyor
 Mackenzie November 14th 1913.

XI

		18	
		Noel Voligny 50 Ac.	
H. Fitzpatrick 50 Ac.		Lavin 50 Ac.	P. Lavin 50 Ac.
Jas. McFarland			Jos. Lavin 30 Ac.
Ernest Little			Jas. Quick 50 Ac.
Thos. McFarland			
		17	
Sam McKenzie		Sam McKenzie	Herman Narguerson
Dan Lainglois		Sam McKenzie 50	Henry Battersby

TOWNSHIP OF SANDWICH SOUTH



OFFICE OF THE CLERK AND TREASURER

JOHN McAULIFFE

Township Clerk and Treasurer

MAIDSTONE, ONTARIO, Nov. 23rd., 1934.

Mr. Joseph Lavin,
Maidstone, Ont.

Dear Sir:-

When this drain was constructed in 1890 it was a Ditch & Watercourse drain all the way to the Townline. Since that year the Little 10th. has been constructed under the Municipal Drainage Act, so that this old sward made by the Engineer in 1890 is no use.

I am inclosing a little plan showing the amount I think each one should do for the portion which is still a Ditch & Watercourse. If this does not meet with the approval of all concerned, try and arrange among yourselves the portion each one should do.

Yours Truly,

Clerk.

Mrs Annie M^o Farland
21 $\frac{1}{2}$ ac

$$2 \frac{1}{2} \text{ ac}$$

F. pusilla. 10 ac.

Geo. R. M. Kenzie.
S. 8 a

5. 8 a e

Phocena
410
St. Roch

to 8

Wm. Lloyd Garrison
to Rev. Mr. [illegible]

Dec 14

2000

502

Les Haies

McKenzie Dam, D. & W. Co. Act

Cuts

Geo. W. McKenzie

Stake No.	Cuts	in	Remarks
0	2 ^{ft}	9 1/2"	
1	3'	0 1/2"	
2	3'	1"	
3	3	0	
4	3	0	
5	3	0	

5+

$$\begin{array}{r}
 2 \cdot 98 \frac{12}{100} \\
 \hline
 196 \frac{24}{100} \\
 \hline
 196.24
 \end{array}$$

Requisition for Examination by Engineer.

Township of

Sandwich South Sept 27 1913

To

John M. Auliffe

Clerk of

Sandwich South

P. O.

Mudstones

SIR,—I am, within the meaning of The Ditches and Watercourses' Act, 1894, the owner of Lot

N.E. pt

number

17

in the

10th

Concession of

Sandwich South

, and as such I require to construct

a ditch under the provisions of the said Act, for the draining of my said land, and the following lands and roads will be affected:

Lot.	Concession	Area	Owner
SE 1/4 Lot 18 in the	10 th	50	Joseph Lamm
N.W. pt " 17 " " "	"	45	Geo M. Farland
N.E. pt " 17 " " "	"	58 1/8	Geo. R. McKenzie

and the said owners having met and failed to agree in regard to the same, I request that the Engineer appointed by the Municipality for the purposes of the said Act, be asked to appoint a time and place in the locality of the proposed ditch, at which he will attend, and examine the premises, hear any evidence of the parties and their witnesses, and make his award under the provisions of the said Act.

Geo. R. Mac Kinnon

Fair Play P.O.

Form "B"--Section 7.

DECLARATION OF OWNERSHIP.

In the matter of "The Ditches and Watercourses Act, 1894," and of a ditch in the Township of *Sandwich South* in the County of *Essex* I, *Geo. R. MacKenzie* of the Township of *Sandwich South* in the County of *Essex*, do solemnly declare and affirm that I am the owner within the meaning of "The Ditches and Watercourses Act, 1894," of Lot *N.E. Pt.* Number *17* in the *10th* Concession of the Township of *Sandwich South* being *5.8 1/8 acres more or less*.

Solemnly declared and affirmed before me
at the _____ of _____
in the County of _____
on _____ the _____
day of _____ A. D. 189 _____

Geo R Mac Kenzie
Signed
Fair Play

Essex, Ont. March 8th 1890

I A. J. Halford. the Engineer
Appointed by the Municipality of the
Township of Sandwich East in the
County of Essex under the provisions
of "The Ditches and Water Courses Act."
having been called by the requisition
of James McKensie Owner of the East
part of Lot 17 in the 10th concession
of Sandwich East filed with the Clerk
of the Said Municipality representing
that he requires a drain on the North
limit of Said Lot and that it would be
necessary to continue the drain across
certain mentioned lots and parts of lots.

I attended at the time and place mentioned
in Said requisition and having examined
the locality and heard the parties and
their witnesses find:

That the North part
of the East part of Lot 17 in the 10th Con-
cession. Owned by James McKensie
requires the drain mentioned in
Said requisition and such a drain
as I have described in the annexed
Plans to enable the proper cultivation
and use of Said Land.

I find that the Said
drain will require to be extended west
on the North limit of Said Lot 17 through
land owned by James McFarland to a
Point 21 rods West of the Centre of Said
10th concession. Thence North on

line Staked out across the South
west quarter of Lot 18 owned by
Henry Hilly Patrick. across the
North west quarter of Lot 18
owned by George Little and
across Gore Lot 19 owned by
W^o Stewart.

I find that the South
East quarter of Lot 18. owned by
George Little and the Middle part
of Lot 14 owned by George Little.
will be benefitted by said drain as
also will the South West quarter
of Lot 14 owned by James McFarland
The land through which the drain runs.
will be greatly benefited by the drain.
except Lot 14. Part of the Road known
as the Base Line will be drain through
this drain.

And I Award:

That James
McKensie: shall open up and
maintain the drain from Stake "0"
west 85 rod to a point 5 rod west
of "Stake 4"

That George Little shall
open up and maintain the drain
from a point 5 rod west of Stake
4, west 25 rod to a point 10 rod west
of "Stake 5". He shall also open up
and maintain the drain from Stake
12 north to "Stake 15" 60 rod;

That
James McFarland shall open
up and maintain the drain
from a point 10 rod west of
Stake "5". West and North 40 rod
to a point 5 rod north of Stake 9"

That

McKensie

G. Little

J. McFarland

Henry Fitzpatrick & well open
up and maintain the drain
from a point 5 rod north of "Stake
9" north and west 55 rod to "Stake
12"

That the Municipality of the
Township of Sandwich East
shall open up and maintain
the drain from Stake 15 to Stake
17. " 29 rod:

That each portion of
the drain shall be fully made
and completed before the 1st day
of May A.D. 1890. That the drain
shall be made and maintained in
accordance with the annexed
plans and specifications.

That
my cost attendant upon the Making
of the Examination and Survey: this
award and the annexed Plans
and Specifications are sixteen
dollars. Of which James McKenzie
James MacFarland, George Little
and Henry Fitzpatrick shall each
pay \$3⁵⁰ and the Township of
Sandwich East \$2⁰⁰ That the
clerk of the Township of Sandwich
East shall be paid \$2⁵⁰ of which
each party to the award shall pay
fifty cents:

The drain begins at
Stake "0" one rod west from the 11th road
and runs west on the South side
of the line between Lots 17 & 18. 155
rod. Thence North 60 rod to lane
Thence west on North side of lane to
old Tap drain and North along old
Tap drain to the 3rd Concession
Road

on line of 14 & 18 the North Side of drain
shall coincide with said line. The
dirt shall all be cast North and leaving
a clear berm of 2 feet shall be spread
in a workmanlike manner.

on Lots 18 & 19 the dirt may be cast
on either or both sides and leaving
a clear berm of 3 feet shall be spread
in a workmanlike manner. In the
same the dirt shall be cast North and
leaving a clear berm of 2 feet shall
be spread in a workmanlike
manner. The drain shall be made
straight to stake 12. and shall follow
the course staked out. The depth of
cut is given in the annexed plan
and shall be measured from the
level on which the stakes now
stand.

Dated March 8th 1890.

Witness
Chas R. Sweet

A. J. Halford
Township Engineer