

2. No.

3. Subject to the provisions of section 629 of The Consolidated Municipal Act, 1903, the council may, in its discretion, pass a by-law pursuant to the provisions of section 637 of the Act (after having strictly observed the preliminary proceedings prescribed by section 632) to stop up this road, if it is of opinion that the general public convenience no longer requires it.

#### Dispensing With Collector in Districts — Council Should Appoint Assessor Annually.

274—I. H.—1. Is it legal for our council to pass a by-law to do away with the collector for say three years, or are they compelled to appoint a collector every year?

2. Where our council has passed a by-law doing away with the assessor for one year, whose duty is it to sign the papers notifying parties whose lands are up for arrears of taxes?

1. Section 50 of chapter 225, R. S. O., 1897, renders it discretionary with the council of a municipality in any of the unorganized districts of Ontario, as to whether it levies the rate therein mentioned or not. If the municipality has no necessary expenses to meet, and does not require any sum or sums for the purposes mentioned in section 32 of the Act in any year, no levy is necessary, and therefore no collector is required. If, however, the council finds it necessary to levy any taxes in any year, it must appoint a collector to collect them.

2. We are of opinion that this council should appoint an assessor EVERY year to perform such duties as may be required of him by law from time to time, pursuant to the provisions of section 40 of the Act, which provide that "the council of every municipality in any of the said districts shall, as soon as convenient after their first meeting, appoint one or more assessors, etc."

#### Levy of School Rate in Union Section.

275—R. D. R.—An equalization of a union school section in the townships of T. and S. was made in June 1903 as follows: T., 4083/4808; S., 725/4808. The old or former equalization was T., 7/8; S., 1/8.

By Dec. 15th, 1903, T. council passed an order of \$127.40 for township grant by the new equalization. S. council passed an order for \$18.75, made out by the old equalization, leaving the township grant to the school section \$3.85 short. We claim their township grant should be \$22.60. S. council refuses to pay any more than \$18.75 on the plea that their grant was made in March, 1903, when the old equalization was in force and before the new equalization was made.

1. Should S. pay by the new equalization the sum we claim, namely, \$22.60?

2. If they have a right to pay our claim and refuse to do so, what steps should we take to induce or compel them to do so?

3. The school inspector says their refusal is only a quibble. Is he right?

1. We do not see how the council of S. could appropriate or pay its share of the trustees' school levy in the union school section in March, 1903, as the trustees had until the 1st of August to file their requisition for the levy of these moneys. (See sub-section 9 of section 65 of The Public Schools Act, 1901,) and it is likely that the trustees filed the requisition long after March, 1903. The levy and collection of S.'s share could not be made until the fall of 1903, and sub-section 1 of section 71 of the Act requires the council to pay the amount to the trustees on or before the 15th day of December. If \$22.60 is the correct amount of S.'s share, according to the equalization made in June, 1903, this sum is the sum for which S. is liable to T. on this account, and should have been levied and paid.

2. The share of the levy for which the township of S. was liable, as above, should have been levied and collected and paid to the secretary-treasurer of the Board of Trustees of the union section as provided in section 49 of The Public Schools Act. Whatever balance is now payable by the township of S. on account of this levy can be col-

lected from that township by the Board of Trustees by ordinary action at law. The council of the township of T. has no occasion to bother with the matter.

3. The inspector appears to think that \$22.60 is payable, and we agree with him.

#### Duties of Medical Health Officer—Payment of Expenses of Parties Quarantined.

276—S. B. W.—1. What are the number of legal visits the medical health officer can make in connection with parties quarantined? Can he make any number of visits and charge the council with them?

2. After he makes the number of visits, what are his duties in quarantining and disinfecting? Can he charge the council with other calls he makes on the same parties?

3. Should the medical health officer look to the parties who were under quarantine for his pay after he makes the number of visits which is legal for a medical health officer to make?

4. Are councils compelled to appoint a medical health officer in all municipalities when they have a Board of Health, or is it at the council's option?

1, 2 and 3. There is no law limiting the number of visits a medical health officer may make to parties afflicted with a contagious disease and under quarantine. He should exercise his judgment in the matter, and make only such a number of visits as he deems necessary to afford them proper medical attendance. As to whether he can look to the council for payment of his charges depends on the circumstances of the case. If the council specifically employed him to attend the persons afflicted, or if they are, owing to their poverty, unable to pay it themselves, the council of the municipality will have to pay the bill. If the persons afflicted are financially able to pay the physician's bill, and he has not been specifically employed by the council to attend them, they are liable for and must pay the amount. (See section 93 of The Public Health Act, R. S. O., 1897, chapter 248).

4. It is optional with councils as to whether they appoint medical health officers or not. Section 31 of the Act provides that "every municipal council MAY appoint a medical health officer, etc."

#### Ownership of Timber on Townline.

277—D. Z. G.—Does a township own the timber on the side of a townline adjacent to it, or should the value of said timber be divided equally between both townships irrespective of which side of the road it is growing upon?

This boundary line is a strip of land lying between the two municipalities, over which they are given joint jurisdiction by section 622 of The Consolidated Municipal Act, 1903. The power to sell the timber on road allowances is conferred on township municipalities by sub-section 7 of section 640 of the Act. The selling of the timber on this boundary line should be the result of joint action on the part of the councils of the adjoining townships, and since neither township can claim to be the owner of any particular part of the timber, the proceeds of the sale should be divided equally between them.

#### By-Law Exempting from Taxation Must be Submitted to Electors—Police Trustees May Grant Aid to Public Library.

278—TOWNSHIP CLERK.—1. Can a council exempt from taxes for a term of years an industry already established without first submitting the question to a vote of the ratepayers?

2. Have the trustees of a police village the power to make a grant out of the general funds of the village in aid of a public library, or can the township council in which the village is situated make the grant for the village out of the funds of the police village without first submitting the question to the ratepayers?

1. No. Clause (g) of section 591a of The Consolidated Municipal Act, 1903, provides that the word "bonus" wherever it occurs in sub-section 12 of section 591 of the Act, shall mean and include "a total or partial