

## Electric Railways on Highways.

The following communication and our answers thereto will prove of interest to municipalities through which electric railways are about to be constructed :

Clerk's Office, Tp. of Pelham,  
Ridgeville, July 1, 1902.

*Editor Municipal World, St. Thomas :*

Dear Sir;—The article on the use of highways by electric railways in your June issue was timely, as this township now has an application from a company asking permission to locate a trolley line upon our most main-travelled highway clear across the township.

Can you say what the verdict is of those townships like ours, wholly rural, which have permitted electric lines upon their highways? Of course the railway in all cases is a great convenience; but are there any drawbacks? Do any of these townships regret that they allowed such a use to be made of their highways? Are accidents from frightened horses very frequent? Is it preferable to locate the railway in the centre or at one side of the road?

Our road on which a right of way is sought is a given or trespass road considerably less than the standard sixty-six feet in width. While it is a country road, it passes through three or four villages in each of which there are from a dozen to two or three dozen houses, and between these villages there is seldom a half mile without a residence.

To accommodate the railway if possible we are trying to arrive at and agree upon a width of road for vehicular traffic which we might safely reserve for the public, allowing railway the use of the remainder. But we are quite at variance among ourselves as to what width we ought to reserve in order to properly protect the travelling public, whose rights must not be endangered. The horses of those of us who live along the road ought soon to get used to the cars, but not so those living back from it. It is a much travelled road; every hour both day and night. In but one or two places is there room to locate track between the side ditch and the fence.

What width of roadway for public should we reserve (a) when we put railway track at one side of road; (b) when track is located in centre of highway?

Awaiting your reply,

Yours,

J. C. CROW, Clerk

ED.—In reply to the above communication, we beg to say that electric railways have been found of greatest benefit in fruit growing sections, although in almost every case they are a great advantage. The only drawbacks arise from the interference with the use of the highway for ordinary travel. If there are any town-

ships which regret having granted a franchise over their highways to an electric company, the circumstances will be found to be, as a rule, exceptional. Carelessness in drawing up agreements at the time of granting the franchise would account for the majority of these cases. If the company is governed by proper regulations as to the speed of cars, liability for accident, maintenance of the highway, and the numerous details which would arise, the inconvenience is reduced to a minimum, and is far outweighed by the advantage from an electric railway service.

Accidents from the frightening of horses are apt to occur during the first two or three years after construction. Farm horses quickly become accustomed to the cars, and in a short time accidents are of very rare occurrence. The average farm horse, after it has passed a car two or three times, will give no further difficulty.

The most suitable location for an electric railway track is between the side ditch and the fence. If for any reason it cannot be placed there, it should be located, if possible, on the side of the road, as it will cause less interference with vehicles than if placed in the centre of the road. A suitable width of roadway must be determined by the circumstances of every case, and to properly locate a track demands careful study of the highway to be traversed. Cuts and fills, obstructions to a clear view of the road, curves in the road, and similar circumstances, all require special treatment. In cities the roadway reserved is sometimes very narrow, often not allowing more than two or three feet to come and go on. On country highways, however, greater allowance must be made, and under any circumstances, at least eighteen or twenty feet should be reserved for vehicles. If the highway is very narrow in places, as you suggest, it would be well to require the company to widen it to allow a safe margin.

As to what a safe margin will be, will depend, as we have pointed out, wholly on the circumstances of the case. In the case of a narrow road allowance, special attention must be paid to the regulations governing the operation of cars, care in passing vehicles, liability of the company in case of accident, etc. If proper care is exercised in operating the cars, this will offset to a considerable extent the narrowness of the road allowance.

The Court of Appeal in the case of McCready vs. the Gananoque Waterpower Company, which was an action tried in the fall of last year, before Mr. Justice Lount, recently affirmed the judgment in favor of the plaintiff, and dismissed the defendant's appeal with costs, omitting, however, the injunction. The action was instituted by a number of farmers in Lansdowne against the Gananoque Waterpower Co., for flooding their lands in the month of June, 1900, by means of a dam at the outlet of Charles-

ton Lake, which they opened after the plaintiff's lands had been sown. The defendants claimed that the act under which the drain was constructed gave them the right to do the acts complained of. The court, however, refused to concur in this view, and held that they were responsible for the damage caused by flooding.

In his last annual report Mr. Laing, the Provincial Municipal Auditor, recommends the following directions regarding the duties of municipal auditors, which councils should see carried out :

1. Compare assessment roll with collectors' roll to see that the assessed values on which the rates are levied are correctly entered.

2. Compare school section entries with school section map and check valuations on which school rates have been levied.

3. Check all entries and additions on the roll.

4. Verify the correctness of all rates and taxes levied by by-laws, proceedings of council, engineer's drainage, ward and certificates, statute labor lists, fence-viewers' awards, county treasurers' accounts, school trustees' requisition or other authority.

5. The collector's account with the treasurer should be examined, and also settlement of roll, which should be verified under oath and in accordance with sections 147 and 148 of the Assessments Act.

6. Every stub of the treasurers' receipt book and every document or roll audited should be properly stamped as required by the act of 1898.

7. The treasurers' vouchers should be carefully examined to see that each payment was authorized by proper authority and that a proper receipt is attached.

8. The auditors' report should refer to the condition of the treasurers' security, and also to the insurance on corporation property.

9. The auditors should show what cash balance, if any, is due from treasurer to municipality—and where such balance is deposited.

10. If any source of revenue has ceased to exist, or if the last payment has been made on any special assessment, the auditors should make a report to that effect in their report.

11. It is very important that the auditors should make themselves familiar with the by-laws of the municipality, and it is incumbent on them to make a special report of any payment made contrary to law.

A by-law providing for the granting of a bonus of \$15,000 to W. J. and H. E. Copp, of Hamilton, to enable them to locate a stove, range and foundry works in that place, has been carried by the electors of the town of Fort William by a vote of 379 for the by-law, and 23 against it.