

6 makes provision for granting aid to counties in which a road system had been established prior to the passing of the Act. Section 7 authorizes county councils to make grants for the improvement of roads in incorporated villages, and in towns not separated from the county. By section 8 intersections of county roads and other roads are made part of the county road system. Section 9 relieves a county council of any responsibility for building, maintaining or repairing sidewalks on any county road. And section 10 confers on county councils all the powers given to townships, cities, towns and incorporated villages by the Act respecting snow fences (R. S. O. 1897, chapter 240). The following is the Act:

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

#### HIGHWAYS MAY BE DESIGNATED BY COUNTY FOR IMPROVEMENT UNTIL 1ST JAN. 1905.

1. Sub-section 1 of section 2 of Chapter 32 of the Acts passed in the first year of His Majesty's reign intitled *An Act for the Improvement of Public Highways*, as amended by Section 27 of the Act passed in the second year of His Majesty's reign chaptered 12, is amended by striking out the figures "1904" in the second line thereof and inserting the figures "1905" in lieu thereof.

#### LOCAL MUNICIPALITIES MAY ADOPT ROAD SCHEME UNTIL 1ST JAN., 1906.

2. Section 4 of the said Act is amended by striking out the figures "1904" in the fifth line thereof and inserting the figures "1906" in lieu thereof.

#### MILEAGE NO LONGER ASSUMED TO BE PROPORTIONED TO ASSESSED VALUE.

3. Section 7 of the said Act is repealed.

#### BY-LAW DESIGNATING PUBLIC HIGHWAYS TO BE APPROVED BY LIEUTENANT-GOVERNOR.

4. No county shall be entitled to receive any portion of the sum set apart by *The Act for the Improvement of Public Highways* passed in the first year of His Majesty's reign as aforesaid unless and until the by-law designating public highways within the county as a county system of highways has been approved by the Lieutenant-Governor in Council.

#### COUNTY MAY MAKE ANNUAL GRANTS TO TOWNSHIPS NOT IMMEDIATELY INTERESTED IN COUNTY SYSTEM.

5. Where it appears that the highways designated as county roads established under this Act do not pass through one or more of the townships in the county or where it appears that such highways pass through but a small portion of any township, the county council may by by-law make a grant of a specific amount or an annual sum or both for the permanent improvement of highways in such township or townships as an equivalent for the amount which such township or townships may contribute for the establishment of a county system of highways.

#### AID TO COUNTY IN WHICH ROAD SYSTEM ALREADY ESTABLISHED.

6. Where at the time of the passing of the said Act the municipal council of any county had by by-law established a system of county roads equal in every respect to the requirements of the Public Works Department, such system of county roads shall be deemed to be within the meaning and intent of the said Act without any submission thereof to the ratepayers or to the township councils, as provided in sections 3 and 4 of said Act, but nothing in

this section contained shall be deemed as preventing the county council from granting an equivalent to any township not benefited by the said county road system, as provided by section 5 of this Act.

#### COUNTY GRANT TO ROADS IN VILLAGES AND TOWNS.

7. The county council of any county may make a grant by by-law to any incorporated village or town in the county not separated from the county, for the purpose of improving certain highways to be designated in such by-law in such village or town, but such highways shall not form a part of the county system of highways.

#### INTERSECTIONS OF OTHER HIGHWAYS TO BE PART OF COUNTY ROAD SYSTEM.

8. Wherever a county road intersects a highway which is not a county road the continuation of the county road to its full width across the road so intersected, including the bridges and culverts thereon or touching thereon, shall be a part of the county road system.

#### COUNTY COUNCIL NOT LIABLE FOR SIDEWALKS ON COUNTY ROADS.

9. A county council shall not be liable for the building, maintenance or repair of sidewalks on any county road or portion thereof.

#### COUNTY COUNCILS TO HAVE POWERS AS TO SNOW FENCES.

10. The county council shall in respect to county roads have all the powers given to townships, cities, towns and incorporated villages under *The Act respecting Snow Fences*.

11. This Act shall be read and construed in conjunction with said chapter 32 of the Acts passed in the 1st year of His Majesty's reign.

### Separate Schools Amendment Act.

This Act adds a section (29 a) to the Separate Schools Act, (R. S. O. 1897, chapter 294) authorizing the trustees of every rural separate school to select a site for a new school house, or to agree upon a change of site for an existing school house. The consent of a majority of the supporters of the school is to be obtained to the adoption or change of the school site at a special meeting to be called for the purpose. Provision is also made for arbitration proceedings when the trustees and the ratepayers disagree, and for a reconsideration of their award within the time mentioned in the Act. Section 2 makes provision for the organization of separate schools in unorganized townships. Section 3 provides for the holding of the election of separate school trustees in cities, towns and incorporated villages by ballot, when so required, at the same time as the municipal elections are held, and section 4 requires a separate school supporter to support the separate school nearest to his place of residence BY ROAD. The following is the full text of the Act:

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The *Separate Schools Act* is amended by adding thereto the following section as section 29a.

#### PURCHASE OF NEW SCHOOL SITE AND CHANGE OF OLD.

29a (1.) The trustees of every rural school shall have power to select a site for a new schoolhouse or to agree upon a change of site for an existing schoolhouse, and shall forthwith call a special meeting of the supporters of

the school to consider the site selected by them; and no site shall be adopted or change of school site made, except in the manner hereinafter provided, without the consent of the majority of such special meeting.

#### ARBITRATION IN CASE OF DISAGREEMENT.

(2) In case a majority of the supporters present at such special meeting differ as to the suitability of the site selected by the trustees, each party shall then and there choose an arbitrator, and the inspector of separate schools for the district in which the school is situate, or, in case of his inability to act, any person appointed by him to act in his behalf, shall be a third arbitrator; and such three arbitrators, or a majority of them present at any lawful meeting, shall have authority to make and publish an award upon the matter submitted to them.

#### RECONSIDERATION OF AWARD.

(3) With the consent, or at the request of the parties to the reference, the arbitrators, or a majority of them shall have authority, within one month from the date of their award, to reconsider such award and within two months thereafter to make and publish a second award, which award (or the previous one if not reconsidered by the arbitrators) shall be binding upon all parties concerned for at least five years from the date thereof.

#### FORMATION OF SEPARATE SCHOOLS IN UNORGANIZED TOWNSHIPS.

2. Section 1 of the Act passed at the second session held in the 62nd year of the Reign of Her Late Majesty Queen Victoria, chaptered 37, and intitled *An Act to amend The Separate Schools Act* is amended by prefixing to the said section the words "In unorganized townships and."

#### ELECTION OF TRUSTEES BY BALLOT TO BE ON SAME DAY AS MUNICIPAL ELECTIONS IN CITIES ETC.

3. Subsection 1 of section 32 of *The Separate Schools Act* is amended by striking out all the words after the word "require" in the fourth line down to and including the word "ballot" in the fifth line, and inserting in lieu thereof the following words "the election of members of the board for such city, town or incorporated village to be held by ballot on the same day as municipal councillors or aldermen are elected, as the case may be."

#### SEPARATE SCHOOL SUPPORTER TO SUPPORT NEAREST SEPARATE SCHOOL "BY ROAD."

4. Section 44 of *The Separate Schools Act* is amended by adding after the word "nearest" in the fourth line the words "by road."

### The High Schools Amendment Act.

By section 1 county councils are required to pay a sum equal to 80 per cent of the average annual cost of the maintenance of county pupils where the trustees of any high school located in a city (not having a population of 50,000 or over) or town separated from a county, notify the county clerk that such high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county. Section 2 makes provision for the maintenance of county pupils in city, town and village high schools, and for additional aids to high schools by the county. Section 3 empowers Boards of Trustees to make application to the municipal council, or councils at any time during the year for grants for permanent improvements. The following is the Act in full:

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—