

The owner wants damages to the amount of \$100. What advice or action should the council take in the matter?

It is a question of fact as to whether injury was done to citizen's property or not. If the corporation validly exercised its powers, the citizen must seek compensation (if he is entitled to any) under the arbitration clauses of the Municipal Act. See Consolidated Municipal Act, 1892, chapter 42, section 483, et al.

J. B.—In one of our sections the trustees employ two teachers—one to teach on the ground floor, and the other to teach in the upper part of the same school house. The trustees claim that they have two separate and distinct schools, and are entitled to the municipal grant of \$200; other persons think that the trustees are only entitled to \$150. (See section 109, Ontario Statutes, 1891, chapter 55.) What is your opinion?

The trustees are only entitled to \$150. There is only one school.

F. J. C.—Is a public school trustee, in a town qualified to act as auditor of the municipal, high and public school accounts? The municipal auditors audit the public school account. See subsection 11, section 107, Public School Act, 1891.

No.

J. S.—Would you recommend gravel for sidewalk for cheapness and durability for back streets and long walks. Plain gravel without cement, and what would be the best kind of material to hold the gravel in its place at the sides?

Plain gravel without cement for sidewalks are very uncomfortable to the pedestrian and are either covered with loose stones and dust in dry weather or with a light slime of mud in the wet season. If carefully made however they answer the purpose of very light travel in suburban districts, for if the travel is even that of the average side street they wear quickly into depressions which holds the water and is very disagreeable after a rain, and as the surface has been hardened it is difficult to repair them without breaking the whole section in order to obtain a united mass. When finished the walk should have an inclination of one inch to one hundred feet towards a watercourse and the surface of the walk should be crowned with a raise of one half an inch to each foot in width. The gravel should be at least five inches in depth and the ground along the edge of the trench made to conform to the grade of the walk. Wherever this depth can be obtained in excavation, the walks will be sufficiently protected by the earth at the sides; but where the depth cannot be obtained, curbing and filling will have to be resorted to, to keep the gravel in its place. If curbing is used it should be two inch cedar plank fastened to cedar posts four inches in diameter, sunk two feet below the bottom of the trench and placed about eight feet centres. Before placing the gravel, the bottom of the trench should be thoroughly rammed in order to secure a firm foundation, preserve uniformity of the grade and prevent dislocation of the material after becoming thoroughly set. The main principle to be observed in the construction of these walks is to see that the bottom of the trench is thoroughly

drained. Three or four inch common field tile placed in the bottom of the trench and discharging into the watercourses wherever a proper outlet can be had is as good a plan as can be adopted. Four inches of gravel should first be placed in the bottom of the trench and thoroughly bonded, then the remaining five inches and the amount allowed for the curvature of the surface should be put on, and the whole thoroughly rammed and made to conform to the required curve. It is advisable to have the surface of all sidewalks about one foot above the bottom of the gutters of a properly improved roadbed, if the road is not improved the grade should be of sufficient height above the road to prevent the water flowing over the walk. Care should be taken in selecting the gravel for this work. There are two kinds of gravel—one which will pack under travel, and clean rounded stones which will not. This is due to the small proportion of clayey or earthy matter contained in the former, which unites and combines the material together, and on which the travel forms a smooth and hard surface. Sea-side or river-side gravel consists almost entirely of water-worn pebbles of all sizes which usually move and slide on each other and is unsuitable for this purpose, unless other material be mixed with it, and this is difficult to do in order to secure good bond. Generally pit-gravel contains too much earthy matter. The gravel for the top layer, at least, should be hard and tough so that wear will not pulverize it and convert it into dust and mud. Proper attention should be given to the work for some time after its completion in order to see that it is packed uniformly, and that under travel it secures uniform surface and grade.

Gravel walks properly constructed and maintained are more durable, safer and less expensive than plank walks for the district referred to, but with a view to permanency and economy artificial stone walks made of proper materials are most advisable to construct.

A SUBSCRIBER.—1. Is a person that is assessed for a stock in a store only, entitled to a municipal vote, and will it apply to both male and female voters? How should they be entered in the assessment roll and voters' list.

2. Have the sons of a person assessed as owner of real estate, say \$8,000, a municipal vote, the son having no claim on the property, only living and working with the father?

3. Are owner's sons entitled to a municipal vote the same as farmer's sons? (This is village assessment.)

1. No.

2. Not unless they are assessed, and the property is not less in quantity than twenty acres.

3. No.

W. H. M.—A nomination was held in our township on Monday, the 24th day of December, for the purpose of electing a reeve and four councillors to fill the respective offices for the ensuing year—held pursuant to notice, at which meeting two candidates were nominated for reeve and eight for councillors, on the following day one of the candidates for reeve resigned, and five of the councillors sent in their resignations leaving only

one reeve and three councillors remaining. At the expiration of one hour, as there was likely to be a contest and election, I adjourned the meeting (a poll having been demanded) until the 1st Monday in January for an election. In consequence of the subsequent resignation of the candidates and one more candidate required to fill up the vacancy in the council, I am at a loss how to proceed, as I don't see any precedent for such a case in the statutes. Therefore I would be obliged if you can solve the difficulty and give your advice how we are to act. I may state our township is not divided into wards, and in consequence of our situation and a difficulty having occurred in not being able to procure ballot papers on short notice, the county council passed a by-law some years back allowing us to hold our nomination a week ahead of the ordinary time. Would it be lawful now for the council of 1894 to appoint a person to fill the vacancy? Or could the new council elect a member? Or if neither of these proposals are lawful how are we to act?

The vacancy occasioned by the filing of such resignation, will have to be filled by a new election in the manner provided for in section 181 of the said Consolidated Municipal Act, 1892.

S.—The owner of a lot, upon getting it surveyed, finds that it takes nearly the width of the sideroad to give him his quantity of land. He claims the full width of his lot, and has moved his fence on to the road, thereby stopping travel (the road has been travelled about six years), and considerable funds expended upon it. Should the council get a re-survey before they take any action, or what is the best way to pursue in the matter?

We think a survey unnecessary, as the public user of the road and the expenditure of money thereon make it a public highway. The most advisable course to pursue, would be to indict the owner for obstructing the road.

S.—On surveying a blind line it was found necessary to deviate a little round the point of a lake, thereby, taking a small quantity of land from an adjoining lot. The owner now has notified the council that he intends to make his fence straight, along the front of his lot, which would run the road into the lake. Cannot the council hold the road by statute of limitation, although no agreement of gift or purchase can be shown, the road being a travelled highway, under the control of the municipality for over thirty years?

Yes, the public user of the road amounts to a dedication.

No Quality so Useful as Discretion.

There are many shining qualities in the mind of man; but none so useful as discretion. It is this which gives a value to all the rest, and sets them at work in their proper places, and turns them to the advantage of their possessor. Without it, learning is pedantry, with impertinence; virtue itself looks like weakness, and the best parts only qualify a man to be more sprightly in errors, and active in his own prejudice. Though a man has all other perfections and wants discretion, he will be of no great consequence in this world: but if he has this single talent in perfection, and but a common share of others, he may do what he pleases in his station of life.

"I find THE WORLD a great help, and would not like to be without it."

N. E. L., Port Elgin.