

Settlement of Disputes Over Bridges Between County and Local Councils.

24. Section 618 of *The Consolidated Municipal Act, 1903*, is repealed and the following substituted therefor :

618.—(1) Whenever there is a dispute between a county council and the council of any local municipality (other than a city or separated town) within the county, as to whether the duty or liability to build and maintain a bridge in whole or in part belongs to or rests upon such county council or the council of such local municipality, or as to the proportions in which they should respectively contribute to the building or maintenance of such bridge, the council of such county or of such local municipality may by resolution set forth the grounds of complaint or the question in dispute and may by such resolution declare that application should be made to the Judge of the County Court of the county for an order determining the matter in dispute.

Resolution to be Served.

(2) After the passing of such resolution the clerk of the county or such local municipality shall forthwith serve a copy thereof, certified to be a true copy under his hand and the corporate seal of the county or local municipality upon the clerk of the county or of the local municipality concerned in the matter in dispute as the case may be.

Procedure After Resolution Served.

(3) After the service of such resolution application may be made by or on behalf of the corporation, the council of which has passed the same to the Judge of the County Court of the county for an appointment in writing for the hearing of an application to determine the matter in dispute. A copy of the appointment shall be served upon the clerk of the other municipality interested, at least thirty days prior to the date fixed by the Judge for hearing such application.

Hearing of Application.

(4) At the time and place named in such appointment the Judge of the County Court shall hear the application, and the municipal corporations interested may be represented by counsel thereon and the Judge shall if he sees fit or either of the parties desire, hear evidence on oath upon the matter in dispute.

Duty of Judge at Hearing—Order of to be Registered.

(5) The Judge shall determine which municipal corporation shall build or maintain the bridge or the proportions for which each municipality shall contribute to the cost of the building and maintenance of the same, and the order of the Judge shall be registered in the registry office for the registry division in which the bridge in dispute is situate, and from and after the date of such registration and subject to the determination of any appeal from the Judge's order, the bridge shall be built and maintained and kept in repair by the corporation made liable therefor, or by the corporations in the proportions fixed by the order of the Judge, and the order of the Judge shall be enforced in like manner as an order of *mandamus*.

Appeal to Divisional Court.

(6) There shall be an appeal from the order or decision of the Judge to the Divisional Court of the High Court of Justice and the proceedings incident thereto shall be the same, as nearly as may be, as in the case of an appeal from a Judge of the High Court sitting in court, and in case the order of the Judge of the County Court is varied or set aside, the judgment of the Divisional Court shall be registered in like manner as in the case of the order of the County Court Judge.

Settlement of Disputes as to Bridges Between Counties, and Counties and Cities and Separated Towns.

26. *The Consolidated Municipal Act, 1903*, is amended by adding thereto the following section :

618a. Whenever there is a dispute between a county council and the council of any city or town separated from the county, or between a county council and the council of any other county or union of counties, as to whether the duty or liability to build and maintain a bridge in whole or in part rests upon such county council or the council of such other municipality or as to the proportion in which they should respectively contribute to the building or maintenance thereof, and in case the municipalities interested shall fail to agree it shall be the duty of each to appoint arbitrators as provided by this Act, to determine the matters in dispute and the award made by such arbitrators shall be final and conclusive.

Settlement of Disputes as to County Boundary Lines.

27. Section 654 of *The Consolidated Municipal Act, 1903*, as amended by section 35 of *The Municipal Amendment Act, 1906*, is hereby repealed and the following substituted therefor :

654. If the several townships interested in a county boundary line road do not agree as to the necessity for a deviation of the road from the boundary line, or as to the location of the deviation, or as to the adoption of an existing road for the deviation or as to the apportionment of the cost of opening and maintaining such deviation, any township interested may apply to "The Ontario Railway and Municipal Board" to determine the matter in dispute, and the Board or any member thereof after notice to the several townships interested, and after hearing such of the representatives of such townships as may appear before them, may make such order as may be deemed just and such order shall be final and shall not be subject to appeal.

Settlement of Disputes as to County Boundary Roads.

28. *The Consolidated Municipal Act, 1903*, is amended by adding the following as section 654a :

654a. If the several townships interested in a county boundary line road do not agree as to the apportionment of the cost or the work to be done in opening or maintaining the road the council of any township interested may apply to the wardens of the bordering counties to determine jointly the proportion of the cost or work to be paid or done by each of the townships interested, and the mode of expenditure, and the wardens, together with the Judge of some other county to be agreed upon by the wardens, or in case of disagreement to be named by the Chairman of "The Ontario Railway and Municipal Board," shall hear and determine the matter in dispute and their decision shall be final and shall not be subject to appeal.

Meeting of Wardens and Judge.

29. Section 655 of *The Consolidated Municipal Act, 1903*, is amended by striking out the words "a county judge" in the last line but one of the said section and by adding thereto the following subsections :

(2) The wardens shall meet at the time and place so named and may agree upon the Judge of some other county to act as the third arbitrator, but in case the wardens fail to agree upon a County Judge at the said meeting it shall be their duty forthwith to notify the Chairman of "The Ontario Railway and Municipal Board," and the Chairman shall thereupon make an order appointing a Judge of some other county to act as third arbitrator and shall notify each of the wardens of his appointment.

(3) The wardea of the county in which the township making the application is situate shall within eight days after a County Judge has been agreed upon by the wardens or notice of his appointment has been received from the Chairman of "The Ontario Railway and Municipal Board" convene a meeting of the wardens and such County Judge.

30. Section 656 of *The Consolidated Municipal Act, 1903*, is amended by striking out the words inserted therein by section 29 of *The Municipal Amendment Act, 1904*, and by section 34 of *The Municipal Amendment Act, 1906*, respectively.

31. Section 667 of *The Consolidated Municipal Act, 1903*, as amended by section 33 of *The Municipal Amendment Act, 1905*, is further amended by adding after the word "improvement" in the sixth line the words "the whole or any part of."

Permanent Sidewalk and Pavement.

32. Subsection 4 of section 672 of *The Consolidated Municipal Act, 1903*, is amended by adding the following clause thereto :

(d) Or unless the work or improvement has been constructed under section 677 hereof,

Municipal Officers of Ontario.



TOM C. LOCKWOOD

CLERK VILLAGE OF BRIGHTON

MR. LOCKWOOD was appointed three years ago, and is probably one of the youngest municipal clerks in Ontario at the present time, having been appointed at the age of 20. He is also agent of the Canadian Express Co. and Great Northwestern Telegraph Co.