

MUNICIPAL DEPARTMENT

LEGAL DECISIONS AFFECTING MUNICIPALITIES.

CITY OF HALIFAX V. LITHGOW.—By sec. 14 of the Nova Scotia statute, 53 Vict., ch. 60, the City Council of Halifax was authorized to borrow money for covering the sidewalks of the city with concrete or other permanent material, one-half the cost to be a charge against the owners of the respective properties in front of which the work should be done, and to be a first lien on such properties. A concrete sidewalk was laid, under authority of this statute, in front of L's property, and he refused to pay half the cost on the ground that his predecessor in title had in 1867, under the Act 24 Vict., ch. 89, furnished the material to construct a brick pavement in front of the same property, and that it would be imposing a double tax on the property if he had to pay for the concrete walk as well. Held, reversing the judgment of the Supreme Court of Nova Scotia, that there was nothing dubious or uncertain in the Act under which the concrete sidewalk was laid; that it authorized no exemption in favor of property owners who had contributed to the cost of sidewalks laid under the Act of 1861; and that to be called upon to pay half the cost of a concrete sidewalk in 1891 would not be paying twice for the same thing, because in 1867 the property had contributed bricks to construct a sidewalk which in 1891 had become worn out, useless and dangerous.

FERRIER V. CITY OF TORONTO.—A municipal corporation whose existence is derived solely from the statutes creating it, is not liable for damages arising out of the enforcement of a by-law passed under a misconstruction of its powers, unless such liability is expressly or impliedly imposed by the statute. A city corporation acting in excess of its powers, passed a by-law amending an existing by-law for licensing peddlars, prohibiting them from peddling on certain streets, and the officers of such corporation in carrying out the by-law declined to issue licenses except in the restricted form, which the plaintiff refused to accept, and, while attempting to peddle without a license was interfered with by the police, over whom the corporation had no control. Held, that the corporation were not liable. Neither does any liability arise where a licensee, who had taken out a license in the restricted form, is damnified by being prevented by the police from peddling on prohibited streets.

TOWNSHIP OF LOGAN V. HURLBURT.—The directions of sec. 84 of the Public Health Act, R.S.O. ch. 205, are imperative, and where, instead of acting as directed in that section, the members of a local

board of health allow a person suffering from an infectious disease to go into an adjoining municipality, they are liable to repay to that municipality moneys reasonably expended in caring for the sick person and preventing the spread of the disease.

MR. A. W. CAMPBELL, C. E.,

PROVINCIAL ROAD INSTRUCTOR FOR ONTARIO.

Although the appointment of Mr. A. W. Campbell to the position of Provincial Road Instructor is of quite recent origin, his countenance is already familiar to a large number of municipal officers throughout Ontario. He is a native of the province, having been born at Wardsville, Middlesex county, in 1863, and is the son of Mr. J. C. Campbell, a farmer in the township of Ekfrid. He spent his boyhood days on the farm, and received the usual education afforded by a country school. In 1885 he graduated in engineering and surveying from the School of Practical Science, Toronto, after which he was in partnership for several years with Mr. James A. Bell, of St. Thomas, the firm doing an extensive business as



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municipal engineers. In 1891 he was appointed city engineer of St. Thomas, which position he held with much honor until his appointment as Provincial Road Instructor by the Ontario government in February of this year.

During his term as city engineer of St. Thomas he paid special attention to road-making, especially the construction of earth, gravel and macadam roads suitable for small towns and villages, and under his superintendence the streets of the city were greatly improved, until it is said that St. Thomas has to-day a greater mileage of permanently improved streets than any other Canadian city.

When the Ontario Good Roads Association was formed three years ago, Mr. Campbell was appointed a member of the board of directors, and is at present one of its vice-presidents. In this connection he has taken an active interest in addressing farmers' institutes, dairy and other meetings in the rural sections of the province, urging the necessity of more systematic and uniform work, and endeavoring to create deeper interest in the subject among the people at large, by conveying information on the correct methods of road-making. A year ago he was ap-

pointed a member of the Ontario Toll-Roads Commission, and as such visited different parts of the province.

The office of the Provincial Road Instructor is in the Parliament Buildings in Toronto, where it is under the supervision of the Minister of Agriculture. Mr. Campbell's duties will be entirely educational in character, and will consist in giving instruction and information to municipal officers and pathmasters regarding the building and maintenance of highways. His services have already been called into requisition by a large number of municipalities, which have been greatly benefitted by his advice. It is understood also that he will lecture on the subject of road making at the Agricultural College, and probably at other educational institutions.

Mr. Campbell's excellent training and wide experience has ably fitted him for the position which he occupies, and the success of his labors will no doubt be in evidence by the improved character of the roads constructed throughout the province.

SEWER PIPE STANDARD.

The Illinois Society of Engineers and Surveyors recommend that all sewer pipe be salt glazed, vitrified earthenware of the hub and spigot pattern and of the following dimension:

Diameter of Pipe Inches	Length Feet	Depth of Socket	Annular space. Inches	Thickness of shell Inches.
3	2	1 1/2	1/4	5/8
4	2	1 1/2	1/4	5/8
6	2	2	1/4	3/4
8	2 1/2	2 1/2	3/8	3/4
10	2 1/2	2 1/2	3/8	7/8
12	2 1/2	2 1/2	1/2	1
15	2 1/2	3	1/2	1 1/4
18	2 1/2	3	1/2	1 1/2
20	2	3	1/2	1 3/4
24	2	3 1/2	3/8	2
30	2	4	3/8	2 1/2

The pipe to be circular in form, with no variation allowed from a true circle.

The committee believe that it is fairer to the manufacturer and will insure better results to require a given crushing strength for each size of pipe, rather than the practice of requiring a certain thickness of shell. This strength requirement should be calculated so as to support with safety the weight of the earth coming upon the pipes. The support of the earth by friction along the sides of the trench is a large factor entering into the calculation, which the committee have had neither time nor facilities for determining, and for this reason would recommend that the thicknesses given above be adopted as standard until the proper investigation can be made for determining the strength.

The Londonderry Iron Co., Londonderry, N. S., are this year beginning the manufacture of turned and bored water pipe. This company is the first in America to introduce the manufacture of this class of pipe, it having hitherto been made solely in Great Britain. They have also made a new departure in manufacturing valves and hydrants. They report large sales of pipe to St. John, N. B., Amherst and Halifax, N. S., and Glace Bay, C. B., and of valves and hydrants to Truro and other towns.