

drainage work to be constructed under this Act, or the repair of any drainage work under section 75 of this Act, and to assist the said engineer or surveyor in making the assessment of the various properties to be assessed for the cost of the construction or repair of any drainage work to be constructed under this Act or to be repaired under the said section.

(2) In case the Drainage Viewers and Engineer or Surveyor do not agree as to any matter required to be done or reported upon by them, the joint act or report of one of the Drainage Viewers and the Engineer or Surveyor shall be a sufficient compliance with the provisions of this Act.

(3) Where Drainage Viewers are appointed they shall attend all Courts of Revision held for the purpose of trying complaints arising upon the assessments made by the Engineer or Surveyor and the Drainage Viewers.

#### REMUNERATION OF DRAINAGE VIEWERS.

(4) Drainage Viewers appointed in any municipality under this Act shall each be entitled to the sum of \$2 a day and necessary travelling expenses, while actually engaged in the performance of the duties required of them under this Act, and the said fees and expenses shall be part of the cost of the work, and shall be payable in the same manner as the fees and expenses of the Engineer or Surveyor.

#### ENGINEER OR SURVEYOR TO RENDER DETAILED

##### ACCOUNT TO MUNICIPALITY.

4.—(1) Any Engineer or Surveyor employed or appointed to perform any work under the provisions of the said Act shall send in his accounts to the said Municipalities for his services, under oath, giving detailed information as to the number of days occupied in superintending the drainage work, the number of days engaged in laying out the work, and the number of days engaged in the office making plans and preparing his report, also the number of days on which he was engaged in making assessments and inspecting the work, showing the number of hours occupied in each day; and the said account shall also set out whether said work was performed on the works or in the office, and whether the time so occupied was the time of the engineer himself, or that of a clerk or assistant.

(2) The said account upon the written request of the Municipal Council or of any person assessed, to be filed with the Clerk of the Municipality, shall be audited by the County Judge free of charge.

(3) The clerk shall deliver the account to the County Judge who shall appoint a time and place at which he will proceed with the audit.

(4) The clerk shall give at least two days notice of such audit to the engineer or surveyor and the head of the municipality as well as to any person requiring the audit.

(5) At the time and place named in such appointment the County Judge shall audit the account and may disallow any charges which he may deem unreasonable and shall certify thereon the amount to which in his opinion the engineer or surveyor is entitled and the amount disallowed shall not be recoverable by the engineer or surveyor.

#### COSTS WHEN AMOUNT AWARDED BY REFEREE DOES NOT EXCEED \$60.

5. Subsection 1, of Section 93, of the said Act as enacted by Section 4 of the Act passed in the first year of His Majesty's reign, intitled *An Act to amend The Municipal Drainage Act*, is amended by adding at end of paragraph 1 thereof the following words: "But where the amount awarded upon a claim for damages in connection with a drainage work does not exceed \$60, the costs allowed to the plaintiff shall be on the Division Court scale, so far as the name is applicable."

#### The Public Schools Amendment Act.

This Act contains several amendments, having considerable practical interest.

Section 1 amends section 16 of the Public Schools Act, 1901, so that it is now unnecessary that a school trustee wishing to resign, should obtain the consent in writing of his colleagues in office. It is now sufficient if he gives notice in writing of his resignation to each of his colleagues. Section 2 makes the provisions of section 41 apply to cases of uniting parts of existing sections so as to form a new section. Section 3 changes the time for the equalization of union school assessments from once in every THREE years, to once in every FIVE years. Section 4 fixes the liability for the payment of the cost of equalizing union school assessments on the municipality in which the union school is located. When the union school section comprises parts of two or more municipalities, these costs are to be paid by the municipalities in the same proportion as the equalized assessments of the municipalities bear to each other. On the refusal of the council of an urban municipality to pass a by-law for the issue of debentures for the purchase of a school site etc, section 5 requires the council to submit the question to the duly qualified electors, on its being requested by the Board of Trustees to do so. Section 6 makes additional provision for the payment of the travelling expenses of a public school inspector, and section 94 for the granting of a retiring allowance to a public school inspector. 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:

#### TRUSTEE MAY RESIGN ON GIVING NOTICE IN WRITING TO EACH OF HIS COLLEAGUES.

1. Section 16 of *The Public Schools Act* is amended by striking out the words "with the consent, expressed in writing," in the fourth line, and inserting in lieu thereof the following words, "by giving notice in writing, of such resignation to each."

#### PROCEEDINGS TO UNITE PARTS OF EXISTING SECTIONS INTO A NEW SCHOOL SECTION.

2. Sub-section 2 of section 41 of *The Public Schools Act* is amended by adding after the word "section" in the 4th line the following words "or to unite parts of existing sections so as to form a new section."

#### UNION SCHOOL ASSESSMENTS TO BE EQUALIZED EVERY FIVE YEARS.

3. (1) Subsection (1) of section 54 of *The Public Schools Act* is amended by striking out the word "three" in the first line of the said subsection and inserting in lieu thereof the word "five."

(2) Subsection 2 of the said section is amended by striking out the word "three" in the last line of the said subsection and inserting in lieu thereof the word "five."

(3) Subsection 3 of the said section is amended by striking out the word "three" in the last line of the said subsection and inserting in lieu thereof the word "five."

#### PAYMENT OF COST OF EQUALIZING UNION SCHOOL ASSESSMENTS.

4. The cost of proceedings under the said section 54, including the fees of assessors and arbitrators, shall be borne and be paid by the municipality in which the union school section is situate, and in case such section includes portions of two or more municipalities the said cost shall be borne and be paid by the municipalities in the same proportion as the equalized

assessments of the municipalities bear to each other.

#### SUBMISSION OF BY-LAW TO RAISE MONEY TO PURCHASE SCHOOL SITE TO ELECTORS BY COUNCIL OF URBAN MUNICIPALITY.

5. Sub-section 1 of section 76 of *The Public Schools Act* is repealed and the following substituted therefor:—

(1) The municipal council of any urban municipality may, on the application of the board of public school trustees, pass a by-law for borrowing money by the issue and sale of debentures for the purchase of a school site or for the erection of a school house or any addition thereto or for the purchase or erection of a teacher's residence, which debentures and the money to be raised annually therefore shall be chargeable only upon the property of ratepayers who are supporters of public schools. Where the municipal council refuses to issue such debentures to raise or borrow the sum required for the said purposes then the question shall be submitted by the municipal council, if requested by the board of trustees, to the vote of the electors qualified to vote under *The Municipal Act* for the creating of debts, and who are supporters of public schools, in the manner therein provided, and on the assent of such electors being obtained the council shall issue such debentures to raise or borrow such sum to be chargeable as aforesaid.

#### TRAVELLING EXPENSES OF INSPECTOR.

6. Sub-section 8 of section 86 of *The Public Schools Act* is amended by striking out all the words of the sub-section after the word "addition" in the third line, and substituting therefor the following words "such sum annually for reasonable travelling expenses, as may be determined by the county council, but in no case shall the sum so paid be less than \$150 annually. Where the number of schools exceeds fifty there shall be paid annually the further sum of \$1.50 for each additional school up to one hundred and fifty."

#### GRANT OF RETIRING ALLOWANCE TO INSPECTOR.

7. Section 94 of *The Public Schools Act* is amended by adding the words "or Public School Inspector" after the word "teacher" in the 1st and 5th lines, and by adding after the word "trustees" in the 2nd line of the said section the words "in the case of a teacher and the county council, in case of a Public School Inspector," and by striking out the word "him" in the 2nd line and inserting in lieu thereof the words "the teacher or Public School Inspector as the case may be."

#### An Act Amending the Act for the Improvement of Public Highways.

Section 1 of this Act extends the time for designating the highways to be improved in any county until the 1st January 1905, and section 2 empowers local municipalities to adopt the road scheme at any time prior to the 1st January 1906. Section 3 abrogates the provision that the mileage of road to be assumed was to be in proportion to the assessed area of each township and county. Section 4 provides that no county shall be entitled to any portion of the sum set apart under the Act, until the by-law designating public highways within the county as a county system has been approved by the Lieutenant Governor in council. Section 5 empowers a county council to make a grant to townships which are not traversed by the roads improved under the Act as an equivalent for the amounts such townships may contribute for the establishment of a county system of highways. Section