

Public Schools Act, 1901, and there is nothing in the statement of the facts to indicate that he did not duly perform that duty.

4. We agree with the inspector's idea. The matter in dispute should be settled between the council and the ratepayers from whom the moneys were collected.

5. The inspector was doubtless exercising his discretion in settling the matters in dispute, and without a more complete explanation, we cannot say he was wrong.

6. Since the item of \$50 seems to be the only one in dispute, we do not see that the ratepayers can do otherwise than proceed as stated in our reply to question number two.

General School Levy—Location of Surplus School Moneys—Employment of Other Than Township Engineer.

128—J. E. H.—We have a school section, \$272,000 assessment, with one board of trustees and two distinct schools and two teachers each principal.

1. Can each school demand \$300 for general rate, average being over \$30,000?

2. What is the minimum salary of each teacher?

3. If each receive \$300 general rate, will not minimum salary be \$500 each?

4. Is there any statute for this case?

5. Would it be to the interests of section to divide it?

6. If any surplus school money on hand should it be in the hands of the township treasurer or secretary-treasurer of school board?

7. In Ditches and Watercourses Act, after engineer has made an award, no appeals, can any one of the award call on another engineer to examine the work when done not being satisfied with the first one, who relet some of the work again? What part has the council to do in the matter, or should they interfere between the parties. Some have not paid their share of engineer's expenses. Can they be forced, and how?

8. Can a council force a pathmaster to act?

1. \$300 should be raised for each of these schools in the general school levy as provided by sub-section 2 of section 39 of chapter 53 of the Ontario Statutes, 1906.

2. When the assessed value of the taxable property of the public school supporters of a section is at least \$200,000, as appears to be the case in this instance, the minimum salary of each of these teachers is \$500 (see clause (a) of sub-section 5 of section 39 of the above Act.)

3. Yes, as stated in our reply to question two.

4. We have given the statutory provisions relating to these matters in our replies to the previous questions.

5. This is a matter in its discretion, and for the consideration of the council, if proceedings be taken with this object in view, under the provisions of sub-section 2 of section 41 of The Public Schools Act, 1901.

6. The secretary-treasurer of the school board.

7. We assume that the engineer who made the award was the one appointed by the council to carry out the provisions of The Ditches and Watercourses Act (R. S. O., 1897, chapter 285) under the authority of section 4 of the Act. If this is so, no other engineer has any right to interfere, and the council has no authority to enforce payment of his fees either under section 30 of the Act or otherwise. The engineer will have to look to the person or persons who employed him for payment of his charges.

8. No, but the person appointed is liable under the common law to a fine for refusing to accept this office.

Not a County Bridge.

129—COUNCILLOR—A county line between counties A and B deflects to escape running down creek. A tongue of land juts out where bridge on concession 4 is built, the county line running back two three rods from bank of creek at bridge, but county line is

running into creek a few rods each side of bridge at tongue of land.

Can we compel the counties to build and repair bridge on concession 4 as shown in sketch.

We do not think so, unless it is over 300 feet in length, and proceedings have been taken to have it declared a county bridge under the authority of section 617a of The Consolidated Municipal Act, 1903. Since the bridge appears to be located wholly on the concession line, it does not fall within the purview of section 617 of the Act.

Application of Section 70 of The Public Schools Act.

130—F. W. B.—I find in the MUNICIPAL WORLD of September, on page 235, a clause relating to general school levy in townships in districts, which states that we cannot levy a general school rate legally and that each school section must raise the amount required in their own sections, and on these grounds I struck the rate in each section respectively. We find that in one section there is quite a heavy rate and the trustees of said section are dissatisfied and have written the Minister of Education for his opinion and in his reply does not definitely answer the question.

In striking the rate we have been governed by section 39, chapter 53, 1906 Statutes. I enclose copy of letter received from the Minister of Education which does not enlighten us in the least.

"Copy of Letter"

I am directed by the Minister of Education to acknowledge the receipt of your letter of the 14th inst.

You will see by section 39 of the amendments to The School Act, sub-section 3, that the municipal council of the township is required to levy the sum of \$150 at least for every public school where a teacher or principal teacher is engaged for the whole year the provisions of sub-section where \$300 is required to be raised applies only to townships in organized counties.

The trustees would of course make their further request to township council for such sums to be raised in their own section as that required by the work of the school.

(Signed)

A. H. A. C.

Deputy Minister of Education.

We have given this matter our careful consideration and adhere to the opinion we have already expressed. See also our reply to clause 1 of question number 122 in this issue.

By-laws Regulating Plumbing.

131—W. H. E.—Our town is installing sewers and waterworks, and will have to formulate a set of by-laws governing the plumbing and sanitary installation of same. If you have a copy of some standard systems we would like to procure them. If not, could you give us the name of some town or city that has its by-laws printed so that we could get a copy?

The city of Brantford has in printed form a very complete set of by-laws governing the plumbing, etc., in connection with its sewers and waterworks. We might also refer you to the towns of Galt, Berlin and Brockville, which also have by-laws.

The discussion going on all over the Province in regard to better protection of sheep being killed by dogs shows that a strong feeling prevails. At present some councils limit the value of the sheep to \$9, and others to different figures. A man can recover the two-thirds value of his sheep from the funds of the municipality. If the council will not pay it, this aggrieved person may sue for his rights. But why should a man get only two-thirds of his sheep's value. The taxation of dogs was made for this purpose, and the fine so created is more than sufficient for the full payment of all damages. They say the cutting off of the other third aids in the discovery of the owner of the dog, who then has to pay this extra. But, however well this looks on paper, it does not work out in practice, for whoever owned a dog that killed sheep, the onus of proving the property would be too much for the bother of the work. The sheep industry is too important to allow a drag on it in this Province. Every municipality should pay the full value as determined by arbitration.