

MUNICIPAL ENGINEERS, CONTRACTORS, AND MATERIALS.

trate and the prosecutor it was contended that the reeve had the full powers of a justice of the peace, and that the only limitation of his jurisdiction was territorial, and lay in the fact that these powers could only be exercised by him within the limits of the village. Motion on all grounds dismissed with costs.

GAS CONTRACTS.—The Supreme Court of Indiana held, in the recent case of City of Vincennes vs. Citizens' Gas Light Company, that where an ordinance simply grants to a gas company the right to pipe the streets and furnish gas to the city and its citizens it is to be construed most strongly against the grantee, but where, in addition to the bare grant, the ordinance embodies a contract between the city and company for the supply of gas by the company to the city, is to be construed and interpreted by its terms and conditions and the situation of the parties, like any written contract, and the intention of the parties arrived at if ascertainable; that the grant of the use of the streets for gas mains is in the nature of a license and is not exclusive, and combining the grant with a contract binding the city to take a certain amount of gas for a certain time, and leaving it unrestricted to manufacture, or purchase more from other persons, does not grant a monopoly; that such a contract is not a surrender of the legislative power of the common council; that a city has power to contract for a supply of gas for a stated period of time extending beyond the term of office of the individual members of the council making the contract, and that the time is largely within the discretion of the common council, and the courts cannot say that twenty-five years is an unreasonable time.

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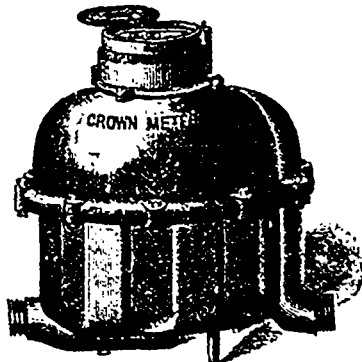
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