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CANADIAN CONTRACT RECORD

A WEEKLY JOURNAL OF CONTRACTS

PUBLIC WORKS • TENDERS • ADVANCE INFORMATION • AND MUNICIPAL PROGRESS

EVERY WEDNESDAY

This paper reaches every week the Town and City Clerks, Town and City Engineers, County Clerks and County Engineers Purchasers of Municipal Debentures and leading Contractors in all lines throughout Canada.

VOL. 11.

NOVEMBER 28, 1900

No. 43

THE CANADIAN CONTRACT RECORD, PUBLISHED EVERY WEDNESDAY

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Notice to Contractors

TENDERS FOR THE SUPPLY OF STONE

Tenders will be received, by registered post only, addressed to the Chairman of the Board of Control, Toronto, up to noon on TUESDAY, DECEMBER 4TH, 1900, for the supply and delivery of 100 toise of Stone, in ten toise lots and upwards, at the House of Industry, Elm Street, in this city.

Contents of envelopes containing tenders must be plainly marked on the outside.

Specifications may be seen and forms of tender obtained at the office of the City Engineer, Toronto, on and after November 24th, 1900.

A marked cheque, payable to the order of the City Treasurer, Toronto, for two and one-half per cent. of the amount tendered for, must accompany each and every tender, otherwise they will be ruled out as informal.

The lowest or any tender not necessarily accepted.

E. A. MACDONALD (Mayor),
Chairman Board of Control.

Toronto, November 20th, 1900.

DATE OF PUBLICATION.

Architects, engineers, municipal authorities and others are reminded that the CONTRACT RECORD is printed every Tuesday afternoon, and that advertisements should reach the office of publication not later than 2 o'clock p.m. on that day to ensure insertion in the issue of the current week. Advertisements are frequently received too late for insertion, to avoid which special attention is directed to this announcement.

CONTRACTS OPEN.

FESSERTON, ONT.—W. W. Carter will rebuild his mills.

HARROW, ONT.—A store will be built by John McIntyre.

STAMFORD, ONT.—A. P. Smith intends building a new residence.

PIERSON, MAN.—S. Davis intends erecting an implement warehouse.

CARLETON PLACE, ONT.—The council will offer \$1,200 of debentures for sale.

GLANWORTH, ONT.—Malcolm Buchanan is getting the material for a new dwelling.

SWANSEA, ONT.—The Swansea Forging Co. are preparing to install an electric light plant.

SPRINGHILL, N. S.—The town expects to make improvements to the electric light plant shortly.

ST. ANDREWS, N. B.—Wm. Hope, of Montreal, purposes building a fine summer residence here.

NELSON, B. C.—Some of the councillors are in favor of installing a municipal electric light plant.

CARLING, ONT.—The Methodist church congregation have decided to build a new edifice.

COLLINGWOOD, ONT.—Operations have been commenced preparatory to enlarging the dock here.

VANCOUVER, B. C.—Work has been commenced in clearing the site for the provincial reformatory.

PARRSBORO, N. S.—F. S. Henderson will make additions to his larrigan factory the coming summer.

THOROLD, ONT.—Surveyors of the G. T. R. are laying out the route for a siding to the new pulp mill.

MOUNT FOREST, ONT.—The town treasurer has been authorized to offer for sale \$9,500 local improvement debentures.

GRAND FORKS, B. C.—The plant of the Granby smelter will be increased to a capacity of 1,200 tons daily.

SHELBURNE, ONT.—The Reeve of the village has been authorized to advertise for sale \$5,000 of debentures.

LISTOWEL, ONT.—The council may again take up the question of securing an improved waterworks system.

CAMPBELLTON, N. B.—Willis Chipman, C. E., of Toronto, has prepared plans for a sewerage system for this town.

PARKENHAM, ONT.—Robert Surtees, C. E., of Ottawa, has prepared plans for proposed improvements to bridge here.

STRATFORD, ONT.—Dr. Robertson, Medical Health Officer, has pointed out the necessity of an isolation hospital.

SCHOMBERG, ONT.—It is again reported that the proposed Schomberg electric railway is to be commenced immediately.

HINT BURG, ONT.—The council is discussing the question of erecting a new fire station and installing a fire alarm system.

ST. ALBANS, QUE.—Steps have been taken towards building an electric street railway from this place to St. Albans Bay.

WATFORD, ONT.—Tenders close 1st proximo for purchase of \$2,687.50 village debentures. Address, Alex. Saunders, clerk.

WINGHAM, ONT.—The ratepayers will shortly vote on a proposition to establish an iron and brass foundry and a woollen mill here.

SYDNEY, C. B.—It is reported that an opera house will be built here, after plans similar to the Lyceum theatre in New York.

ELMIRA, ONT.—A by-law was carried last week granting a bonus of \$5,000 to the Elmira Felt Company for the erection of a factory.

BARRIE, ONT.—E. Donnell, town treasurer, invites bids up to 2 p.m. of December 6th for purchase of \$41,900 town debentures.

BLOOMINGDALE, ONT.—It is understood that Geo. McAllister purposes developing a small water power which he has just purchased.

TILBURY, ONT.—A. A. Wilson, village clerk, invites offers up to Monday, December 3rd, for purchase of \$5,000 5 per cent. debentures.

HULL, QUE.—Le Duc & Cyr have purchased some lots near the Notre Dame de Grace church on which they intend to erect dwelling houses.

IROQUOIS, ONT.—M. F. Beach will erect a fireproof stone and brick power house at an early date. He is now building a temporary structure.

MONCTON, N. B.—The Mineral Products Co. are considering the erection of a smelter here. The town will offer a free site and exemption from taxation.

PORT COLBORNE, ONT.—It is understood that the contract for the breakwater has been let, although the name of the successful tenderer has not yet been made public.

EDMONTON, N. W. T.—St. George Jellett, secretary treasurer of the School Board, invites architects to submit plans for a ten-roomed brick school building to accommodate 50 scholars.

MASSIE, ONT.—The C. P. R. is preparing to build a branch railway from this place to the Oxford Copper Co.'s mine, three miles in length, and another one into the north nickel range, a distance of over 40 miles.

WINCHESTER, ONT.—The township council of Winchester purposes borrowing the sum of \$47,282.65 to provide for drainage work in the township, plans for which have been prepared by T. H. Wiggins, C. E. of Cornwall.

BRANTFORD, ONT.—The city engineer is collecting information regarding pavements.

BERLIN, ONT.—Plans are being prepared for an addition to the Williams, Greene & Rome shirt factory—R. Bowman has several houses under way

PUGWASH, N. S.—The Maritime Clay Works Co. will build in the spring a brick building to contain burned and dried brick. They will also lay tracks to wharves and make other improvements.

NEW WESTMINSTER, B. C.—The council has decided not to call for tenders for the erection of the new civic building, but to do the work by day labor, under the supervision of Mr. Bauer, architect.

MIDLAND, ONT.—Plans for the proposed waterworks and sewerage systems for this town have been completed by R. E. Speakman, C. E., of Toronto.—John Munro has commenced the erection of a planing mill.

SUDBURY, ONT.—F. B. Chapin and W. McVittie, of this place, and a number of American capitalists, have purchased the rights of the Blanche River Pulp & Paper Company and will likely proceed with the erection of a pulp mill.

LINDSAY, ONT.—W. T. Jennings and James McDougall, civil engineers, have completed the surveys for the proposed Lindsay, Bocabgeon & Pontypool railway from Lindsay to Bocabgeon, and construction work will likely be commenced forthwith.

ROSSLAND, B. C.—The West Kootenay Power & Light Co. contemplate making extensive improvements to their plant at an outlay of \$150,000.—Blue, Fisher & Deschamps are building a saw mill at Rock Creek, and will also erect dry kilns, planing mills, etc.

PARRY SOUND, ONT.—W. L. Haight, secretary of the Board of Trade, has been in communication with Messrs. Newman, of Chicago, in reference to the establishment of a smelter here.—Laurie Bros. will build a single mill at Owl Lake, about twelve miles from this place.

TEESWATER, ONT.—Tenders close December 3rd for purchase of \$3,162 4 per cent. village debentures. Particulars from John Farquharson, clerk.—Geo. Steel, Secretary-Treasurer S. S. No. 7, Culross, invites offers for the purchase of 13 debentures of \$113.18 each.

KINGSTON, ONT.—Henry Smith, architect, is preparing plans for laying out a new Roman Catholic cemetery on Goat Island.—Tenders close Friday, 30th inst., for purchase of \$26,700 3½ per cent. debentures. Address F. C. Ireland, city treasurer.

VICTORIAVILLE, QUE.—The Saguenay Lumber Company, with head office at this place, have purchased timber limits on the St. Lawrence and intend building saw and pulp mills at Escoumin's Bay next summer. A. Mercier, of Port Dalhousie, Ont., and F. C. Dudley, of Portland, Maine, are interested.

GEORGEVILLE, QUE.—The Owl's Head Hotel Co. has been formed, with capital of \$100,000. The building of an hotel will be undertaken at once.—It is reported that the C. P. R. will also build a hotel, and that they have had plans prepared for a boat to cost \$70,000, to be put on Lake Memphremagog

QUEBEC, QUE.—The St. Louis Hotel has been leased by L. V. Dion and will be remodelled.—The construction of the framework of the new academy of music will be commenced this week.—Contractors are now figuring on the new theatre to be built on the old site of the Academy of Music. The building will be 176x60 feet, with stage 60x50 feet. On the Caron property adjoining a restaurant building will be erected.

DARTMOUTH, N. S.—Evans & Sons have taken definite steps in the direction of the construction of a dry dock for the marine railway. The first issue of stock has been made by the American Promoting & Trustee Company, of Boston, who are financing the scheme. The company propose spending \$400,000 in acquiring the Evans property, constructing wharves and building the marine railway.

HUNTSVILLE, ONT.—Ed. Pym will build a new store in the spring.—W. Blackburn is taking steps to secure the erection of a new skating and curling rink, so designed that it may also be used for a town hall, with a seating capacity of 1,000.—It is understood that W. H. Matthews will build a new residence next year.

ST. THOMAS, ONT.—The St. Thomas Electric Railway Co. is considering the advisability of extending the road to the lake and in other directions.—The counties of Middlesex and Elgin will build a bridge over the Thames river, between Southwold and Caradoc or Delaware.—F. S. Lewis purposes building a residence next spring on the corner of Erie and Southwick streets.

LONDON, ONT.—The medical men of the city will wait upon the city council in connection with the proposal to establish a consumptive sanitarium in this city.—Alex. Smith is building a two-storey brick residence on south side of King street.—Geo. Craddock, architect, has completed plans for a two-storey brick residence to be built on Wellington street for Rev. W. T. Hill.

NIAGARA FALLS, ONT.—Stamford township council at last meeting discussed a bill granting a franchise to W. C. Poole and others to build an electric railway through the township.—The village council has authorized the engineer to prepare an estimate of the probable cost of generating 100 horse power for municipal purposes.—W. J. Kerr, of St. Catharines, has made a proposition to the town council to erect a fifty barrel flour mill here.

ST. JOHN, N. B.—Improvements will shortly be made to the parsonage of the Victoria street Free Baptist church.—Geo. Robertson, M.B.P., is still in England in connection with the dry dock subsidy, but expects that such arrangements will be made as will permit of work being commenced at once.—Plans are being prepared for a brick residence to be erected in Fairville by James Ready.—The D. F. Brown Paper Box & Paper Company will erect a new factory on Canterbury street, brick, two stories, 120x92 feet.

FREDERICTON, N. B.—Plans have been prepared for a new skating, although the contract will not likely be awarded until the spring.—The Commissioner of Public Works is calling for tenders for re-building Three Brooks bridge on the Douglas Valley road, Queen's county. Plans at the board of works office at Fredericton and at residence of Supervisor, Geo. S. Trott, Gaspereaux Station, Queens county. Tenders are also asked for re-building Jones Brook bridge on Dundas Valley road, Queens county. Plans at the places above mentioned. Tenders close December 3rd.

MONTREAL, QUE.—The city council purposes taking immediate action towards the erection of a contagious diseases hospital.—The annual meeting of the South Shore Railway Company was held in this city last week. It was decided to continue the road now under construction to Amherstville and St. Francois.—D. W. Ogilvie & Company have purchased the Stock Exchange building, and, it is understood, will make considerable improvements.—It is said that the Grand Trunk Railway Company will install a lighting plant in their shops at Pointe St. Charles.

VICTORIA, B.C.—Alex. Adams has purchased property, corner Stanley avenue and Caddboro Bay road, on which he will erect two-story residences.—Bodwell & Duff give notice of their intention to apply for the incorporation of a company to build a railway and steam ferry between this city and Chilliwack. Wilson & Senkler are forming a company to build a railway from the junction of the Coldwater and Nicola rivers to Princeton.—The water commissioner has recommended the placing of meters on the mains at the new pumping station, at a cost of \$2,350.

WINDSOR, ONT.—E. & J. Lassaline, furniture dealers, will erect a three-story brick building on Pitt street to cost \$15,000.—The county council will likely borrow \$10,000 to complete the House of Refuge.—Dr. A. Soper and Dr. D. R. Dupuis, the purchasers of the sanitarium property, have decided to commence work upon the buildings immediately. Buildings larger than those originally proposed will be erected, the total expenditure to be about \$100,000. The contracts for excavation, grading, stone and brick work will be let immediately.—Ground has been broken for two houses to be built on Sandwich street by Messrs. Walker.

ST. CATHARINES, ONT.—W. D. Nott states that the bicycle factory building will not be enlarged until next year.—Negotiations are on foot for the location here of large iron works.—Surveyors for the Niagara, St. Catharines & Toronto Railway Company have laid out three different routes to Beamsville. The company has not yet decided which route will be adopted.—It is given out that a charter will be issued at once to the Queenston, Niagara & Port Dalhousie Electric Railway Company, which will build a road from Niagara to Port Dalhousie, with a spur line to this city.—Representatives of a Toronto syndicate were in the city last week looking over the ground for a location for an iron and brass foundry plant for the manufacture of heavy castings, and were favorably impressed by the shipping facilities and inducements offered by this city.

OTTAWA, ONT.—The plans for the proposed contagious diseases hospital have been approved by the Provincial Board of Health, and an order signed by the Lieutenant-Governor-in-council authorizing the Ottawa Board to proceed with the erection of the building.—A. H. Selling, of New York, and H. C. Smith, of Durango, Mexico, who were in the city last week, are said to be considering a scheme for developing the water power of the Ottawa river at Tetreauville.—The Dominion Government has extended the time for receiving tenders for construction of high level pier and for dredging at Sorel, Que., to December 1st.—Romuald Dagerais, of Friel street, has purchased the residence of Nelson Legault, and purposes making an addition thereto.—The city has just taken tenders for the erection of a storage shed on the waterworks property.

HALIFAX, N. S.—It is rumored that the Nova Scotia Steel Company intend building an aerial railway from the Marsh coal mines to their works about three miles distant.—At a meeting of the Imperial Hotel Co. held last week it was decided to take steps immediately to build a new hotel to cost about \$250,000. The Masonic block has been bonded as a site for the building, which will be six stories. Jas. T. Fairbanks is the chief promoter.—It is rumored that McKenzie & Mann have signed a contract to build the South Shore railway through Shelburne and Queens counties and to this city.—The Canada Flour Mills Co. has been organized here, with N. A. Stevens, of Chatham, Ont., as manager. The

company intend building during the coming year large flour and corn meal mills and wharves in this city.

HAMILTON, ONT.—The sewers committee last week considered the proposal to establish a west end sewage disposal works. The city engineer submitted three propositions, a bacterial plant to cost \$28,963, and \$3,000 extra for septic tanks; a chemical plant, cost \$35,300; and the extension of the present sewer through the marsh to deep water, cost \$40,000.—A sewer is wanted for the Imperial Cotton Co., length 1100 feet, cost \$900.—The finance committee have approved of route No. 1 for the Hamilton, Guelph & Galt electric railway, and a by-law will be submitted to the ratepayers to provide for the expenditure of \$40,000 for the widening of York street westerly from Queen street, and \$35,000 for right of way.—J. J. Buchanan, of Pittsburg, has given instructions for the building of a vestry to the McNab street Presbyterian church, to cost \$2,000.

WINNIPEG, MAN.—It is understood that McKenzie & Mann are taking tenders for the building of an interprovincial bridge across the Rainy river at the junction of the Beaudette.—Manager McNichol, of the C. P. R., announces that his company will construct a new railway bridge over the Red river at this point.—The following works have been recommended for construction: Asphalt pavement on Carlton street, from Portage avenue to Qu'Appelle avenue, cost \$10,000; macadam pavement on Spence street, from Portage avenue to Notre Dame avenue, cost \$9,736; cedar block pavement on Tache street, cost \$1,550; sewer on Gunwell street, from Logan to Henry avenue, cost \$1,040; on Nena street, from William to Elgin avenue, cost \$1,270; on Elgin avenue, from Nena street for distance of 400 feet, cost \$1,160.

PICTOU, N.S.—Tenders will be called for by the town in two or three weeks for installation of a new system of water works, which is expected to cost about \$100,000. The plans and specifications are now being prepared by engineers Lee and Coffin, the former of McGill College, Montreal, the latter of Boston. The supply will be from artesian wells one mile from the town, seven in number, varying from 100 to 300 feet in depth, in gray sandstone. A supply of 1,000,000 gallons a day is expected. The standpipe will contain from four to five hundred thousand gallons. The system is expected to require between 900 and 1,000 tons of piping, there being about 9 miles; sizes, 14, 12, 10, 8 and 6 inches. There will be about 60 hydrants. After the water works system is installed the town will have two good fire engines to dispose of, both in good order, one a Sillsby and the other an Amoskey engine.—The Copper Crown Mfg. Co. are about to enlarge their present works. The cost of the proposed improvements, including machinery and apparatus, will be about \$40,000. The work will be done by themselves.—An electric lighting plant is greatly needed, and next year the town may take steps in this direction.

TORONTO, ONT.—Duncan, Grant Skeans & Miller, solicitors, 25 King street west, have for sale \$7,500 4½ per cent. debentures, to be issued by the village of East Toronto.—Mr. Noxon, provincial inspector of prisons and asylums, suggests that in view of the present crowded condition of the Queen street asylum, a new building should be erected. A deputation of prominent Toronto citizens will probably memorialize the Government to provide the increased accommodation.—Work has commenced on the tearing down of the old Walker building on King street to make way for the new palace hotel. It is understood that the promoters have made arrangements with a New York syndicate to erect the building, and that the latter

are now taking tenders for the work.—The Ontario Department of Public Works is being urged to install an electric light plant in the Parliament buildings—A motion was carried in council on Monday last that a by-law be submitted to the ratepayers at the coming municipal elections to provide \$403,000 for waterworks purposes.—Building permits have been granted as follows: Wm. Murray, two pair semi-detached brick dwellings on Howland avenue, cost \$10,000; Jas. D. Allen, pair semi-detached brick dwellings, 494-96 Euclid avenue, cost \$5,000; Wm. Davies Co., one storey brick store, 1113 Yonge street, cost \$3,500; Nasmith Company, interior alterations to store, 64 King street east, cost \$2,000; A. Horton, two storey brick residence, Rosedale road, cost \$7,500; M. Rawlinson, three storey brick storage warehouse, St. Joseph street, cost \$7,000.

FIRES.

Residence of Jos. Meggison in Sidney, near Belleville, Ont.—Barns and stable of the R. W. Kinsman Co. at Canning, N.S.; loss on buildings, \$7,000.—Davidson block at Hansport, N. S.; totally destroyed.—Cheese factory at Ste. Agathe, Man., owned by Banes & Co.; loss \$3,000.—McCaskill's steam saw mill at Little Narrows C. B.; loss \$2,000, no insurance.—Electric light plant at Welland, Ont., owned by C. J. Page, totally destroyed; insurance \$5,000.—Saw and grist mills and hotel at Marysville, N. B., owned by Alex. Gibson & Co., and valued at \$25,000.

CONTRACTS AWARDED.

OTTAWA, ONT.—Residence on Augusta street: P. Geneau, contractor.

WINNIPEG, MAN.—Sewer on Qu'Appelle avenue: J. F. Lee, successful tenderer, \$1,265.

HUMBERSTONE, ONT.—Residence of John Clark: Anthes & Reichman, successful tenderers.

GALT, ONT.—Wm. Sibly is doing the mason and brick work on Mr. Cunningham's house.

ROSSLAND, B. C.—Thos. Bradbury, of Vancouver, has secured contract for the erection of court house here.

WIARTON, ONT.—The tender of G. W. Ames & Co., for the purchase of town debentures, has been accepted; price, \$16,453.19.

SAULT STE. MARIE, ONT.—Completion of sewer on Woodward avenue and Church street. O'Boyle Bros., successful tenderers, at \$1,043.65.

BROCKVILLE, ONT.—The county council have accepted the tender of Hanson Bros., of Montreal, for purchase of debentures; price, \$15,166.50

KINGSTON, ONT.—Alterations to residence of E. Cook, Carataqui. Masonry, Geo. Haffner; carpentry, Henry Henzy; plumbing and painting not let.

STELLERTON, N. S.—The new I. C. R. roundhouse just contracted for by Rhodes, Curry & Co., is to be of brick, to accommodate 15 to 20 engines, cost \$50,000.

ST. CATHARINES, ONT.—Captain Garson is about to commence work on the new drill shed. The building will be 220x117 feet, of stone, brick, iron and slate.

CAYUGA, ONT.—The contract for heating and ventilating the High school here has been awarded to the Jas. Smart Mfg. Co., of Brockville. Their largest "Kelsey" warm air generator will be used.

TORONTO, ONT.—The John Ritchie Plumbing & Heating Co. have secured the contract for alterations to the plumbing and heating of the old Brown Bros. premises on King street east, which will

be occupied by the Nasmith Co. for a restaurant.

COLLINGWOOD, ONT.—The tender of the Central Canada Loan & Savings Co., of Toronto, has been accepted for the purchase of \$16,000 debentures; price, \$16,153. For \$50,000 ship-building debentures the highest tender received was par, which was not accepted.

BIDS.

VICTORIA, B. C.—Tenders for an electric light plant at pumping station have been received as follows. Murray Iron Works, \$548; B. F. Sturtevant, Boston, \$594; Canadian General Electric Co., Vancouver, \$850, \$800 and \$385; Hinton Electric Co., \$475. Referred to a committee.

DECISION UNDER THE MECHANICS' AND WAGE-EARNERS' LIEN ACT.

In a case brought under the Mechanics and Wage-Earners' Lien Act (R.S.O., Ch. 153), by a person entitled to a lien for material furnished to the contractor, the owner was made a defendant and appealed to the Divisional Court from a decision of the official referee ordering him to pay a sum of \$94.56 under the following circumstances.—The agreement of the contractor with the owner was for the carpenter work upon a building, and the contract price was \$2,200. So far as appeared no work was done upon the building, nor were any materials furnished later than August 10, 1899. At that date the contractor had done all the contract work excepting a few trifling matters estimated by the architect at \$25, and he had done \$45 worth of work in respect of extras. So that the total amount then earned by him was \$2,200. The payments made by the owner were \$1,770.70, leaving a balance unpaid of \$429.30. The contractor had been in default to his workmen in paying their wages on July 22, 1899, and the owner on that day had paid to the contractor \$50 for the express purpose of paying these wages, and it had been so applied. On July 31 the workmen notified the architect that, unless their wages were paid, they would stop working and register liens, and the architect thereupon paid them \$54.70 on the owner's behalf. Both these sums were included in the \$1,770.70 above mentioned. The only material furnished after the payment of July 31 was of trifling value, and was charged by a lien-holder on August 10, 1899. The last work done upon the building appeared to have been done on August 11, 1899. Three days afterwards four of the workmen whose wages remained unpaid, and (as was admitted) were entitled to liens for \$94.56, brought to the solicitor for the owner liens for that amount, and informed him that, unless they were paid at once, they would register the liens. Thereupon, in order to save expense, the owner paid the amount and \$4 additional for preparing the liens. Under these circumstances the official referee held that the owner was not entitled to deduct this sum of \$94.56 from the twenty per cent. which he is required by the 11th section of the Act R.S.O., Ch. 153, to retain to answer liens, and directed him to pay into court

the full amount of the twenty per cent. on \$2,200, viz:—\$440 without deducting, as he had done, this sum of \$94.56. From this decision the owner appealed to the Divisional Court, and the question raised upon the appeal was whether or not the owner was entitled to deduct the sum of \$94.56 from the \$440, which he was required to retain for the lien-holders. The sum paid into court by the owner, after deducting the \$94.56, was sufficient to pay all wage earners in full, and to leave a considerable sum applicable to the liens of persons who supplied materials, but was not sufficient to pay the latter in full.

The court allowed the appeal with costs, and the owner was declared entitled to deduct the \$94.56 from the twenty per cent fund (\$440) which the owner is required by the 11th section of the Act to retain to answer liens. The object of the 11th and following sections of the Act is to ensure to persons, intended to be protected by the Act, the formation of a fund in the hands of the owner equal to one-fifth of the contract price, or of the amount of work done, as the case might be, to which they might resort in case of the failure of the contractor to pay them. This fund is to be ascertained at the completion or abandonment of the work, and the owner is directed to retain it in his hands for thirty days from that time. In the present case the work upon the building was abandoned from August 11, 1899, when the last work was done. The twenty per cent. to be retained was therefore properly to be ascertained on August 12, 1899, and the amount was correctly fixed at \$440. In answer to the contention of some of the lien-holders that the owner had improperly paid the \$94.56 to the four wage-earners who had threatened proceedings, because it was paid too soon, and because the whole of the twenty per cent. upon the contract price should have been retained for thirty days, it is pointed out that the only object of requiring the owner to retain the twenty per cent. for thirty days is to give persons entitled to liens a chance of enforcing them against the fund directed to be retained. The position of all the lien-holders was precisely the same as if the owner had retained the \$440 for full thirty days, because at the end of that time the wage-earners, to whom the \$94.56 was paid on August 14, would have been entitled to receive that sum, and the other lien-holders would have been entitled to the balance. No one was injured by the owner having paid the \$94.56 at the beginning instead of at the end of the thirty days, and therefore no one could complain. But the owner, by making a payment before the expiration of thirty days, takes the responsibility of showing that he places the other lien-holders in no worse position by doing so, and this the owner did in the present case. Section 12 of the Act was urged against the appeal being allowed, but it does not apply to moneys which the owner is directed to retain, and so did not affect the case. That section merely gives authority to the owner, without the consent of the contractor, but upon mere

notice to him, to make payments out of the contract price direct to persons who would be entitled to liens, but limiting the right to make such payments to the moneys which the owner is not directed to retain under section 11. This case in effect decides that the owner of a building is not prohibited from making payments (before the expiry of the thirty days from completion) out of the twenty per cent. reserve, required by section 11 of the Act, to persons entitled to liens; but he makes such payments at his own risk as against any one ultimately prejudiced by such payment.—Ontario Law Reports, Vol. 31, page 546.

BUSINESS NOTES.

Rochon & Fournier, builders, Montreal, have registered partnership.

Paquet & Fortin, contractors, Levis Que., have dissolved partnership.

The assignment is announced of Abel Prevost, contractor, St. Genevieve, Que.

Charpentier & Chagnon, sewer contractors, Montreal, have registered partnership.

The Durham Portland Cement Co., of Durham, Ont., has obtained charter of incorporation.

Sinoneau & Dion have formed a partnership as builders, with head office at Sherbrooke, Que.

The assignment is reported of P. Boileau & Frere, contractors, of Isle Bizard, in the Lake of Two Mountains, Que.

The Imperial Sand, Stone & Brick Co. is applying for a provincial charter, with a capital of \$200,000. Mr. C. D. Warren, of Toronto, is president, and Mr. John O'Donohue, of Stratford, the chief promoter of the company. The company control patents for a new process of making brick from sand with a small mixture of cement.

A chimney about 100 feet high, owned by the Ontario Elevator Company in Buffalo, fell recently. In response to an

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enquiry as to the reason for the accident, the owners write: "We do not know for certain the real cause, but suspect that quicksand may be responsible. The chimney was built eleven years ago and until about six months ago showed no signs of trouble; then it began to settle a little, and we started to build a new one some thirty feet away, intending to tear the old one down as soon as the new one was finished. But the old chimney was in too much of a hurry to come down and gave only about eight hours warning."

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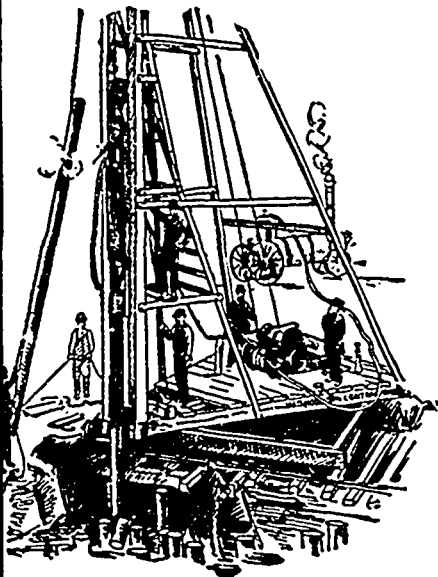
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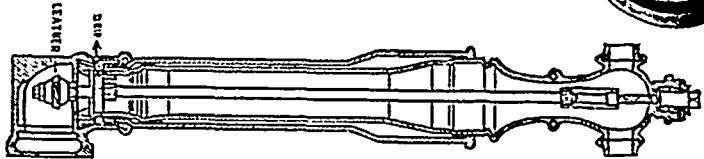
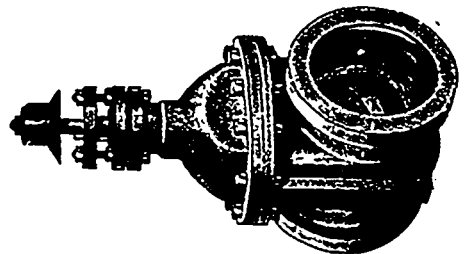
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PROPORTIONS OF CONCRETE.

The proportions of concrete are discussed in a brief article by Mr. G. J. Morrison in the last "Proceedings" of the Institution of Civil Engineers. He says: Decide tentatively on the quantity of large and small stones, if necessary trying two or three proportions. Add sand by degrees till the mixture, after being well turned over and shaken down, shows a decided increase in bulk, at least 5 per cent., then add cement to an amount equal to between one-third and one-half of the sand. Then, taking the amount of cement as unity, a specification can be drawn accordingly. Within these limits all concrete will be strong and solid, and the mixture of stones which requires the least sand will be the most economical. For many purposes cement equal to one-third of the sand is sufficient, but an increase in quantity up to one-half will give a concrete stronger and more impervious to water. If, however, it is attempted to improve a fairly good concrete, made with a ratio of sand to cement of 3 to 1, by reducing the sand it will probably be ruined; on the other hand, concrete that is honeycombed may often be improved by the addition of sand or gravel, that is to say, a well-proportioned so called 8 to 1 may be better than a badly proportioned so called 7 to 1. It need hardly be stated that if gravel be used containing sand, the sand must be separated for the experimental mixture, and the specification modified accordingly; but while the specification provides the basis of a contract, or a basis on which the particular work is to be carried out, a description giving the proportions of various sized stones and sand, and the increase of bulk by the addition of each constituent to the first lot of large stone (for each addition should give an increase and not be entirely lost in the voids,) is necessary as a guide for other works."

LEGAL DECISIONS AFFECTING MUNICIPALITIES.

The corporation of the village of Granby, Que., has obtained an important decision in the Supreme Court at Ottawa. Two years ago a man while working in a sewer was killed in a cave in. The widow brought suit for \$5,000 damages. The action was dismissed by Judge Lynch in the Superior Court at Sweetsburg. This judgment was reversed by the Court of Appeal, which gave \$3,000 damages and costs. The latter decision has just been reversed by the Supreme Court, which sustains Judge Lynch's judgment in the court of first instance. Including costs the amount involved is about \$5,000.

BROCKVILLE DEBENTURES.

In 1895 the town of Brockville, Ont., issued debentures amounting to \$30,008, the proceeds to be applied to extending and improving the water-works system. Of these \$16,000 were sold shortly after being issued. The balance, \$14,000 were sold last week to G. A. Stimson & Co., of Toronto, at 103.93, or \$551 premium, without accrued interest. The debentures bear 4½ per cent. They were issued for 30 years, so those sold last week have about 25 years to run. The price for the last lot is higher than was received for those sold in 1895, and is said to be the best sale ever made of Brockville bonds.

NOTES.

Mr. W. S. Cranston has been appointed assistant city engineer of Ottawa, Ont.

Mr. John G. Dykes, who held the position of town clerk of Galt, Ont., from 1868 to 1893, died in that city recently.

Thirty-six municipalities in Ontario have already decided in favor of abolishing statute labor, and a number of other townships will vote upon the question at the coming municipal elections in January.

The corporation of Lachine, Que., has owned and operated its own electric lighting plant for seven years past. Recently, however, it became dissatisfied with this method, and, after having consulted with Mr. R. A. Ross, consulting electrical engineer, decided to dispose of the plant and accept the offer of the Lachine

Rapids Hydraulic & Land Company for the necessary supply of current, which will be delivered at the transformer primaries.

The total membership in the American Society of Mechanical Engineers, according to a statement recently issued by Secretary Hutton, is 2,064 members in all grades, this representing a net gain of 113 members since January. It is the largest net increase for any half-year in the history of the society, being nearly twice as large as the corresponding increase last year and nearly one-third larger than for any six months in the history of the society. The winter meeting will take place in New York December 4 to 7.

A street cleaning machine has recently been tested in New York which contains many features of interest. It is drawn by a couple of horses and performs all the functions of a street cleaning gang, except scraping the roadway with the rubber squeegees which are used on asphalt. A revolving broom sweeps the dirt to a conveyor lifting it into a covered bin. Just in front of the broom there is a horizontal pipe through which jets of water are sprayed on the street so as to prevent dust. The dirt collected in the bin is distributed uniformly through it by means of a scraper, and when the bin is filled it can be discharged into a cart or onto the ground in a heap by letting down a door and scraping the contents out by a very simple form of conveyor. The water is carried in a tank below the bin.

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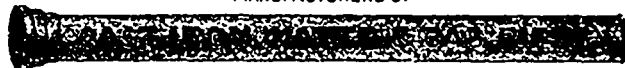
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Large index table listing various categories such as Architects, Cements, Interior Decoration, Roofing Materials, etc., with corresponding page numbers.

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