

PAGES

MISSING

THE MUNICIPAL WORLD

Published Monthly in the Interests of Every Department of the Municipal Institutions of Ontario.

Vol. 6. No. 6.

ST. THOMAS, ONTARIO, JUNE, 1896.

Whole No. 66

CONTENTS

PAGE

Children's Aid Societies	106
Appeals to Court of Revision	106
High and Public School Laws	107
Wire Fences and Drifts	107
Roadwork	108
Drainage	
Crowning the Road	
Quality of Gravel	
Placing the Gravel	
Repairs	
Cumulative Voting	108
Fountains of Patriotism	108
A. W. Campbell, C. E., Provincial Instructor in Road-making	109
The Law of the Wheel	109
Municipal Amendment Act, 1896 (Concluded)	110
The Registration of Births, Marriages and Deaths	111
Two or Three Year Terms	111
Municipal Ownership	112
Women Voters	113
Question Drawer—	114
194. Money By-law—Police Village	
195. Assessment—Electric Railway	
196. Assessors' Duty	
197. Award re Union School Section	
198. Cannot Force a Road	
199. Redemption of Railway Store	
200. Assessment of Lands	
201. Collectors' Bailiff—Costs	
202. Electric Light Poles—Cattle on Highway	
203. Complete Assessment Roll—Statute Labor	
204. Assessment of Company	
205. Children on Street—Charities—Cows at Large	
206. Polling Division—Non-Resident Tenant	
207. Possession of Road Allowance	
208. Cutting Down Fence	
209. Engineer's Report—Clerk's Fees	
210. May be Councillor in Two Municipalities	
211. Separate School Supporters	
212. Re Arbitration Union School Section	
213. Clergymen's Salaries—Assessment	
214. Destruction of Street Signs	
215. Public School Fees, Non-Resident	
216. Ratepayers only May Appeal—Statute Labor on Townlines	
Legal Decisions—	116
Longbottom vs. Toronto	116
Hamilton Gas Co. and City of Hamilton	116
Stillwell vs. Bayham and Middleton	116
York vs. C. P. R.	116
Need of Better Highways	117
Road Building a Science	117
Step in the Right Direction	117

Calendar for June and July, 1896.

Legal, Educational, Municipal and Other Appointments.

JUNE.

1. Public and Separate School Boards to appoint representatives on the High School Entrance Examination Board of Examiners.—High School Act, section 38 (2).
20. Earliest day upon which statute labor to be performed in unincorporated townships.—Assessment Act, section 113.
24. High School Entrance Examinations begin.
Public School Leaving Examinations begin.
30. Public and Separate Schools close. P. S. Act, section 173 (1), section 173 (2); S. S. Act, section 79 (1).
Semi-Annual Reports of High Schools to Department due.
Semi-Annual Reports by Public School Trustees to Inspector due.—P. S. Act., section 40 (13).
Rural Public School Trustees to report average attendance of pupils to Inspector.—P. S. Act, section 206.
Protestant Separate Schools to transmit to County Inspector names and attendance during the last preceding six months.—S. S. Act, section 12.
Semi-Annual Reports of Separate Schools to Department due.—S. S. Act, section 28 (18), section 62.
Trustees' Report to Truant Officer due.—Truancy Act, section 12.
Assessors to settle basis of Taxation in Union School Sections.—P. S. Act, section 95 (1).
Last day for completion of duties of Court of Revision, except where Assessment taken between 1st July and 20th September.—Assessment Act, section 64.
Balance of License Fund to be paid to Treasurer of Municipality.—Liquor License Act, section 45

JULY.

1. Dominion Day. (Wednesday.)
All wells to be cleaned out on or before this date.—Section 113, Public Health Act, and section 13 of By law, schedule "A."
Last day for County Council to pass by-law that nominations of members of Township Councils shall be on last Monday but one in December.—Municipal Act, section 113.
Before or after this date, Court of Revision, may, in certain cases, remit or reduce taxes.—Assessment Act, section 67.
Last day for revision of rolls by County Council with a view to equalization.—Assessment Act, section 78.
Last day for establishing new High Schools by County Councils.—High School Act, section 8.

Books for Municipal Officers.

Ontario Statutes, 1896.

We have made arrangements with the Queen's Printer, and will be prepared to supply any number. Special terms to municipalities ordering more than one copy. Send in your orders and secure the statutes as soon as issued.

Consolidated Public Health Acts, with amendments to date.

These should be supplied to the members of every local board of health. Price, 20 cents each; six for \$1.00.

Jones' County Constables' Manual, or Handy Book.

Compiled from the Criminal Code, 1892-93, with schedules of fees, crimes and punishments, the court and jurisdiction, all in such a compact form that it can easily be carried in the pocket. This book is excellently printed and bound in red and gold. Just the book required by a constable, and very useful to a magistrate. The work is correctly compiled from the Criminal Code. Price, 75 cents.

Lytle's Rate Tables.

For Collectors Rolls—This valuable little work is intended to assist clerks in entering taxes in the collector's roll. It gives rates by tenths of a mill, from one to nine and nine-tenths mills. The author, a clerk of considerable experience, knowing what was wanted, issued the work, which should be in the office of every clerk. Price, \$2.00.

Special Offer.

Forty back numbers of THE MUNICIPAL WORLD for 1892-3-4-5, bound with the "Klip," and THE WORLD for 1896, to new subscribers for \$3.00.

Address all orders, with price enclosed, to

The Municipal World,
ST. THOMAS.

The Municipal World

PUBLISHED MONTHLY

In the interests of every department of the Municipal Institutions of Ontario.

K. W. MCKAY, EDITOR,

A. W. CAMPBELL, C. E.	} Associate Editors
J. M. GLENN, LL.B.	

TERMS. \$1.00 per annum. Single copy, 10c.; Six copies, \$5.00, payable in advance.

EXPIRATION OF SUBSCRIPTION. This paper will be discontinued at expiration of term paid for, of which subscribers will receive notice.

CHANGE OF ADDRESS. Subscribers, who may change their address, should give prompt notice of same, and in doing so, give both old and new address.

COMMUNICATIONS. Contributions of interest to municipal officers are cordially invited.

HOW TO REMIT. Cash should be sent by registered letter. Draft, express or money orders may be sent at our risk.

OFFICES—28 Elgin Street, St. Thomas. Telephone 101

Address all communications to

THE MUNICIPAL WORLD,

Box 1252, St. Thomas, Ont.

ST. THOMAS, JUNE 1, 1896.

Children's Aid Societies.

The organization of a society under the act for the prevention of cruelty to, and better protection of children in Ontario, has been completed in almost all the counties of the Province. Many of the societies have already been placed on a sound financial footing by grants from municipal councils interested, and rightly so, for the cost of saving a child is less than five per cent. of the cost of arresting and punishing a criminal, and what a destitute child needs more than anything else, is a home not an institution. In other words, the key note of the society is *prevention*. By removing a child from the atmosphere of vice and drunkenness, many who would otherwise be brought up to beg and steal, and end their lives in prison are brought up as useful citizens. When the Provincial organization for children's aid work is completed there will be little necessity for reformatories and industrial schools and a decrease in the population of our Central Prison and penitentiaries will also follow. It has been a problem for some time to know what should be done to prevent the rapid increase in the number of inmates in these institutions, and we believe that in passing the act above mentioned the Government have at last solved the problem. Children's aid societies under the act have almost unlimited power to do all that may be necessary for the protection of children from neglect and cruelty, and the placing of homeless and dependent children in foster homes. A central organization at the county town in each county is necessary, being more convenient to the courts, and for meetings of the Executive and other committees of the society. In addition to this and to

complete a county organization an advisory committee should be appointed in each municipality and in these committees, as in the society, the various denominations should be represented as far as possible, but the work throughout must be unsectarian in its character. In order to do effective work under the act three things are necessary. First—That the officers of the society should be men of warm sympathies, and of pronounced views on the question of child protection. Second—That an efficient agent of the Society should be appointed. Third—That a shelter in which children who are being cruelly treated, or are without homes can be provided for until suitable foster homes are obtained. The item of expense is one that Municipal Councils generally consider. First—In connection with the society there should be no expense other than that required for stationery and postage. Second—The amount to be paid to a special agent will depend on the individual and the time required to attend to the work of the society in his district. Third—It is essential to successful work that each society should have a temporary refuge or shelter in which children may be cared for, while awaiting disposal or pending the finding of suitable foster homes. This may be by arrangement with some reliable party interested in the work and having the necessary accommodation, or where the extent of the work warrants it, a refuge established for this special purpose. In no case should a child be temporarily placed in a House of Refuge where adult dependents are kept. Municipalities are liable for the maintenance of children, pending investigation, or for the care of a child committed to the guardianship of the society by the court until it is provided with a foster home. The Municipality in which the child last resided one year may be charged a reasonable sum per week, and this demand is compulsory upon the Municipality by the Judges order, unless a compromise is affected between the Society and the Municipal authorities by the latter giving an annual grant. One of the objects of the Society is to avoid institutionalizing of children.

Appeals to Court of Revision.

All persons dissatisfied with the decision of the Court of Revision in reference to their appeal can have the matter referred to the county judge by giving proper notice to the clerk of the municipality or assessment commissioner within five days of the first day of July, of their intention to appeal. If the notice substantially gives this information, no matter what the form may be, it will be sufficient. Immediately after the time limited for filing the appeals the clerk is required to forward the list to the judge, who will fix the day for hearing at some place within the municipality or at the nearest place there-to where Division Court is held. The clerk is required to notify all parties at

least six days before the sitting of the court. In municipalities where by-laws have been passed for taking the assessment between the first of July and 30th September, the time for closing the Court of Revision is the 15th November, and the last day for entering appeal five days thereafter. The decision of the judge is final and conclusive, and the clerk is required to amend the roll accordingly.

In districts, the day for the return of the roll is required to be fixed by by-law of the council. Any person may appeal against the assessment within one month after the date so fixed by giving a written notice to the clerk, and the council is required within two months after the time fixed for returning the roll, to appoint a time and place for hearing such complaints as a Court of Revision. Appeals from the decision of the Court of Revision are to the stipendary magistrate in the same manner as to the county judge in other municipalities.

* * *
One of the principal duties of the Provincial Instructor in road-making will be to give assistance to road-masters, overseers of highways, and members and officials of municipal councils. He will be available to visit localities requiring his services, as arrangements may be possible, and those desiring his instruction and advice should communicate with him at once. Such service will be free of expense to municipalities. It is especially desired that municipal representatives and officials will take advantage of this opportunity of using the Instructor's services.

* * *
The equalization of assessment of union school section should be attended to every three years as required by the Public Schools Act.

Whenever this is required to be done the assessor of the municipality in which the school house is situated should call a meeting of the assessors of the municipalities interested. If they cannot agree, the public school inspector is required to name an arbitrator who, with the assessors, shall determine the matter. When the union school section is composed of portions of two adjoining counties, then on disagreement, the inspector of the county in which the school house of the union section is situated is required to name the arbitrator. The assessors, at the request of the inspector or five rate-payers may reconsider their award within one month after finding the same. The assessors are required forthwith, after they arrive at a decision, to notify the secretary-treasurer of the union school section, and the award must be filed with the clerk of the municipality.

The assessors, when sending copy of award to the union section, should inclose their account for services in making the award, which a recent letter from the Education Department states, should be paid from the funds of the union section.

High and Public School Laws.

The Minister of Education has issued the following circular to Municipal Officers calling their attention to some amendments made to the Public and High School Acts during the last meeting of the Legislative Assembly:

(1) Provision is made for "Continuation Classes" in Public Schools situated in a municipality in which no High School has been established. The object of these classes is to enable pupils who have passed the Entrance Examination to a High School, or who have finished a Public School course, to continue their studies as far as the Second Form of the High School. Boards of Trustees are at liberty to collect reasonable fees from pupils who have passed the Public School Leaving Examination; pupils who have passed the Entrance Examination only are to be admitted free. The trustees shall appoint for such classes a teacher with the qualification of an Assistant in a High School, unless the teacher in charge is reported by the Inspector as fully qualified to give the necessary instruction. The County Council may aid such schools by a grant equal to the Legislative grant, or such further sum as it may deem expedient. The Minister of Education is authorized to pay for the maintenance of each pupil the average amount paid for High School pupils. (Section 8.)

(2) In all elections for Rural School Trustees, a farmer's son, qualified to vote at a municipal election, is qualified to vote for a School Trustee or may be elected as a school trustee. (Sections 9 and 12.)

(3) Boards of School Trustees are required to hold their first meeting for the organization of the Board on the Wednesday following the annual meeting, at the hour of four o'clock in the afternoon, and at the school house. (Section 16.)

(4) Walls or fences for the enclosure of the school premises shall be erected and maintained by the Board of Trustees at the expense of the school section. (Section 34.)

(5) A petition for the formation of union sections will be legal if signed by five ratepayers of the municipality asking for the appointment of an arbitrator to consider the formation of a union section. Heretofore every such petition required the signature of five ratepayers from each of the municipalities concerned in the formation of a union school section. The award of the arbitrators declaring that no change should be made in the boundaries of union sections, or that no union section should be formed, although petitioned for, is binding for five years unless appealed against. (Section 43.)

(6) Assessors are required to report with regard to the equalization of union school sections on or before the 1st day of June instead of the 1st of July, as in the old act. (Section 51.)

(7) The grant heretofore made by

Councils as the equivalent of the Government grant is dispensed with. The original intention of this grant was that it should be levied by uniform rate over the whole county. In practice, however, it was found in almost every case to be levied on the township, and thus as a matter of fact was a township rather than a county grant. Under the new Act, Township Councils are authorized to levy the sum of \$50 for each school, in addition to the sum of \$100 which they were authorized to raise under the Act of 1891. As the sum formerly levied by the county amounted to over \$30 per school, the increased contribution made by the township is less than \$20 in excess of what it formerly was. As the law now stands, every Township Council will be required to raise \$150 for every school in the township. In the case of schools with an assistant teacher, \$100 additional is required for such teacher. The advantages of the change are briefly these: (a) The routine of collecting the grant through the county from townships, which was merely a matter of book-keeping, is dispensed with. (b) The inequality which exists in the township with regard to the rates to be levied for the maintenance of schools will be reduced and the smaller sections, which for local or other reasons could not be enlarged, will be aided. (c) Township Councils will be to a great extent relieved of the disagreeable duty of altering school boundaries with a view to meet the complaints of taxpayers. (d) The loss to a school section by rendering useless school houses that might have to be abandoned by the change of school boundaries will be obviated. (e) Small school sections that were heretofore open for six months only will be able to keep open during the whole year. (Section 66.)

(8) Municipal Councils may issue school debentures for amounts less than \$100 if deemed expedient. (Section 70.)

(9) Any by-law exempting any portion of the rateable property of a municipality from taxation, in whole or in part, will not apply to exemptions from school rates. (Section 73.)

(10) County Boards of Examiners are to be appointed annually. (Section 79.)

(11) Easter holidays in rural schools are extended four days. It is the intention to hold the Teachers' Institutes during the summer holidays in order to prevent any interruption to the ordinary working of the school. The holidays at Easter will therefore be made up by dispensing with the teachers' meetings during the school term. (Section 89.)

HIGH SCHOOL AMENDMENTS.

(1) Pupils from any High School district in the county shall be considered county pupils unless they attend the High School of the district in which they reside. (Section 2, sub-section 5.)

(2) The trustees of a Public and a High School may unite to form a Board of Education for the joint management of

Public and High Schools of the municipality for which they are respectively trustees (Section 3.)

(3) The trustees of any High School may limit the optional subjects to be taken in such High School, provided always that any course required for matriculation into the University is taken. (Section 9.)

(4) Where county pupils pay High School fees, the amount of such fees, if advantage is taken of section 31 of the Act, is to be deducted from the whole amount for which the county is liable for maintenance. This was the intention of the High Schools Act of 1891, but not being clearly expressed, some counties were required to pay for the maintenance of county pupils without being credited with the fees paid by county pupils. (Section 31, sub-section 2.)

(5) County Councils may pay for the maintenance of pupils attending a High School in an adjoining county where the High School district is contiguous, at the same rate as for county pupils. (Section 31, sub-section 7.)

(6) Any grant given by County Councils in addition to the amount for which the county is liable for the maintenance of county pupils shall be in proportion to the liability of the Council, that is to say, this liability may be doubled or trebled but specific sums regardless of such liability cannot be made. This provision of the new law does not come into force until after the 31st of December of the present year. In this provision High Schools mentioned in sections 11 (6) and 31 (6) are included. (Section 35.)

Several minor amendments to the Act have been omitted as not of sufficient importance to require special mention.

Wire Fences to Prevent Snow Drifts.

The council of the Township of Pickering recently passed a by-law to pay 12½ cents per rod towards the erection of a wire fence to prevent drifting of snow on the roads. The by-law provides that to obtain bonus the person proposing to build fences must file with council, a certificate signed by at least fifteen ratepayers acquainted with the road, showing that the road is subject in the winter season to heavy drifting to such an extent as to impede or stop public travel, that a wire fence on one or both sides of road would likely prevent drifting. Applicant shall also file a description of the proposed fence, and shall agree to maintain the fence where erected.

Before bonus is paid, the building of such fence, the style and kind of fence, must receive approval of council, and fence must be built and completed to satisfaction of some member of the council or of a commissioner to be appointed for the purpose.

Nurse—Willie, in your prayers you forgot to pray for grandmother's safety.
Willie—Has she got a bicycle, too?—Judge.

Road Works.

DRAINAGE.

Perfect drainage, first, of the foundation of the roadbed; secondly, of the road surface, are the points in road making on which too much stress cannot be laid.

The first is accomplished by under-drainage, tile drains being laid at a depth of three or more feet below the surface on each side of the roadbed at the foot of the grade and parallel to it. Care should be taken to fit and settle the tile in the trench so that, when refilling with earth, they will not be displaced. As a rule $2\frac{1}{2}$ inches to 4 inches tile will be sufficient. The joints should be close and the grade a true line. Loose joints and an uneven grade allow silt to pass into the tile and remain there, destroying the drain.

Surface drainage is accomplished by open drains on each side of the grade, having sufficient capacity to drain not only the roadbed but the land adjoining. With open drains and with tile drains make and maintain a free outlet to the nearest water-course. A drain without an outlet is useless. In constructing a good road, a dry foundation is the matter of first importance.

CROWNING THE ROAD.

The graded portion of the road should be wide enough to accommodate the travel upon it, and not greater, the grade being uniform, not heaped in the centre. The crown should be well above the overflow of storm-water and should have a grade sufficient to shed water readily to the open ditches on either side. Do not round it up so as to make the grade steep and dangerous, under the mistaken impression that better drainage will thereby be secured. Nor should it be so low as to allow water to stand on it in depressions. Under ordinary circumstances one inch or one inch and a half to the foot is a proper grade; that is, a roadbed twenty-six feet wide should be from thirteen to twenty inches higher at the centre than at the side.

QUALITY OF GRAVEL.

The gravel should preferably be sharp, clean and of uniform size. Pit gravel usually contains too much earthy matter and where the latter is in excess, the gravel as a roadmaking material is useless. Lake gravel is apt to be rounded, water-worn and lacking in the necessary earthy matter to make a solid and compact surface but is generally a better road metal than pit gravel. A coating of pit gravel with a surfacing of creek gravel is a good combination. All large stones should be removed as they will work to the surface and will then roll loosely or form rough protuberances.

PLACING THE GRAVEL.

The gravel should be spread evenly over the surface of sub-grade to a depth of six or eight inches and to the required width, then rolled with a heavy roller.

Rolling should be performed in showery weather as it is impossible to consolidate dry earth or gravel. The heavier the roller the better will be the results, but if a heavy roller cannot be obtained, a light roller is better than none. The roller should be passed over the surface until the gravel or earth is so compact as not to be displaced and rutted by the wheels of a wagon passing over it with an ordinary load. The surface must be maintained smooth and hard to shed water and resist wear. Every municipality should have a roller, but whether one can be obtained or not the gravel should not be left in a heap just as it falls from the wagon. Spread it evenly.

REPAIRS.

Gravel roads already constructed will need repair. By the use of road machinery, scrape the surface and cut off the corners which will have formed at the foot of the grade by the washing down of dusty material from the crown of the road. Loosen the surface, particularly that part of the travelled portion and where the road is rutted, with picks, or if possible with road machinery, then apply a coating of gravel and roll thoroughly. It is of more importance, however, to see that the drains are not obstructed in their course and that their outlets are free and open.

Cumulative Voting.

Of all the systems of electoral reform, the cumulative vote is that which is the best known and has been most often adopted. It has been used in the municipalities of Pennsylvania, in the school boards of England, and in the House of Representatives in Illinois. It has been practiced in the elections in the Cape of Good Hope, after an experience of more than thirty years. In Illinois the state has been so divided that from each senatorial district three members of the House of Representatives are elected. The voters may cast for each of the three candidates three votes, or they may divide their suffrages so as to give three votes for any one candidate, or two for one, one for another, or one and a half to each of two candidates. The result has been that in every district in the state the minority party, whether Republican or Democratic, has at least one representative in the legislature. Under this system the party having a majority can always elect two out of the three, and if the minority have more than one quarter of the votes they can elect one member. This system of cumulative voting has been in use in that state ever since 1872. There has been abundant opportunity for ascertaining its merits and defects. Mr. M. N. Forney, the secretary of the New York Proportional Representation Association, undertook an elaborate investigation of the effects of this system, sending to every part of the state inquiries as to its practical operation. The replies showed that the system secured representation to minorities of more than one

quarter, that there was little difficulty in its practical operation, that it lessened the evils of the gerrymander, and led the people to take more interest in public affairs. It made a change of representation easier to accomplish, and by giving a more just representation to both parties in each district it lessened party bitterness.

The cumulative system permits proportional representation, but it does not secure it. Moreover, it occasionally happens that when a very popular man is nominated, an undue proportion of votes are concentrated upon him and the remaining candidates are elected by a minority. The difficulty is that a voter cannot tell when he is casting more votes than is needed for his favorite. The cumulative vote is a system of proportional representation. The cumulative system allows minorities their proper representation if they calculate their chances correctly.

The Fountains of Patriotism.

"Civics," which is the philosophy of civil government and politics, is something which ought to be largely taught to the Canadian people. Side by side with financial economy, it should be made familiar to Canadian youth, so that when they come to be men, charged with public duties at least of voting, if not holding office, they may have some intelligent conception of the principles of their governmental system upon which the finances of the country depend.

The lack of proper knowledge of these important matters may entail a vast amount of distress upon the people. The whole science of civil government does not stop with public economics. There are matters such as patriotism, and the benefits due to the people from their governmental system, and the duties which the people owe to the government. These form an important part of civics, and they are being now taught in the schools of the country, where a few years ago such themes were little heard.

In recent publications on the origin and nature of patriotism there is a strong tendency to teach that it is a grand, heroic sentiment that grows out of the contemplation of nationality and the power and greatness of a country. This is all very fine; but it is not human. Men rise to the love of country through the love of home. The citizen reaches that quality after having first had his affections and interests aroused by the circumstances of the family. The country commences with the home, and the state begins with the family.

A man may entertain a just pride that he is a citizen of a great and powerful country; but if he have no home and family, there is but a slender foundation to his patriotism. A man who declares that the world is his home, and mankind his brothers, is organized on too vast a scale to accomplish anything useful in the small affairs of county, city or state.

A. W. Campbell, C. E., Provincial Instructor in Roadmaking.

Mr. Campbell was born in Wardsville in 1863, and spent his boyhood days on the farm of his father, Mr. C. J. Campbell, in the township of Ekfrid.

He graduated in engineering and surveying at Toronto in 1885, and from that time until 1891 he was in partnership with Mr. James A. Bell, and carried on an extensive business in all classes of municipal engineering in the counties of Norfolk, Oxford, Middlesex, Elgin and Kent, with headquarters at St. Thomas.

In 1891 he was appointed city engineer of St. Thomas, a position which he has resigned to accept the office of highway commissioner. During his term as city engineer he gave special attention to road-making as a branch of his profession, and experimented in constructing a number of miles of earth, gravel, telford and macadam roads, with the result that St. Thomas to-day has a greater mileage of permanently improved streets than any other city of its size.

During the past four years he has been one of the editors of THE MUNICIPAL WORLD, dealing with municipal engineering generally, but more particularly with the road question. When the Ontario Good Roads Association was instituted he was appointed a member of the Board of Directors, and is at present one of the vice-presidents. In this connection he has taken an active interest in addressing farmers' institutes, dairy and other meetings in different parts of the province, urging the necessity of 1st, systematic and uniform work on the road, in order that better results might be obtained from the money and labor now expended; 2nd, of combining, as far as possible, the efforts of all persons engaged in road reform; 3rd, trying to create an interest in the subject among the people at large, and 4th, in discussing the methods of modern roadmaking. Last year the Ontario Toll Roads Commission, of which he was a member, visited different parts of the province, and in that way he became acquainted not only with the toll road system, but with the country roads, and the opinion of prominent citizens in reference thereto.

Mr. Campbell's duties as Instructor in Roadmaking will be under the direction

and approval of the Minister of Agriculture, and the work will be entirely educative in its character. He will be required to give instructions in the building and maintenance of highways by oral or other communication to road overseers, pathmasters and others, and to distribute such printed information as he may be able to collect from the various sources at his command, both in this and foreign countries. It is proposed that the instructor shall meet personally with road overseers and with members of township, town and village councils for the purpose of discuss-

posed by some who have discussed the matter. The theory is that the work at present is along the line of educating the people as to how they may, through the present system, better utilize the labor now employed in roadmaking.

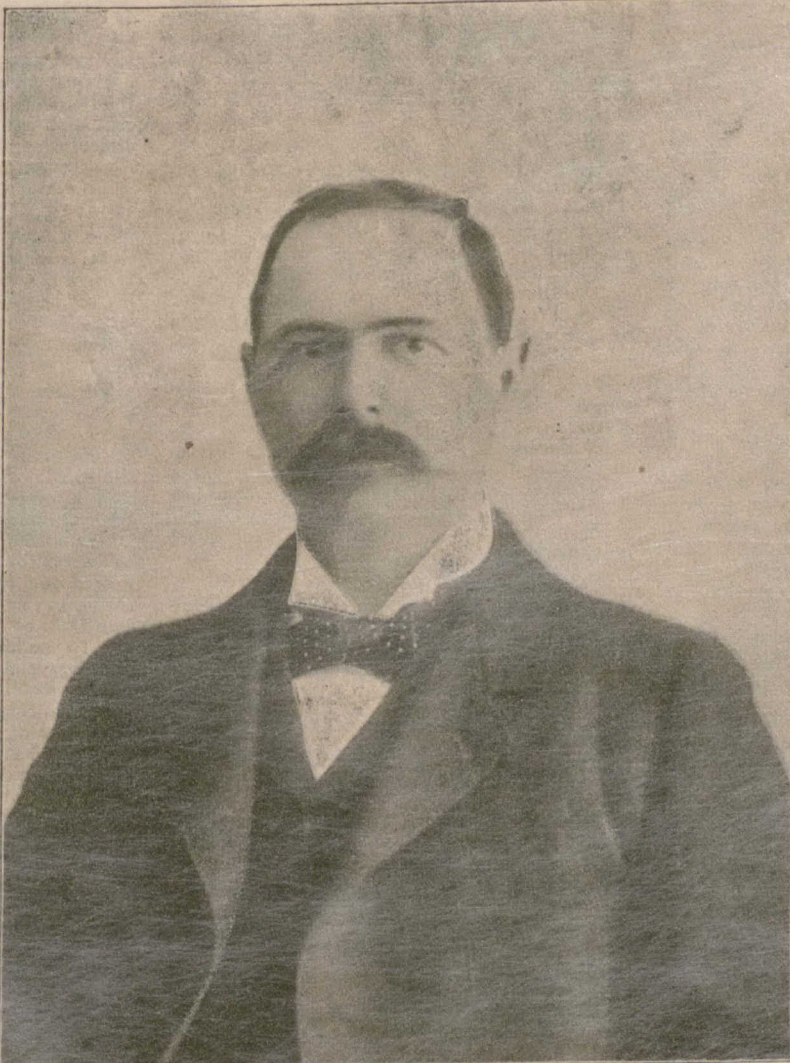
Mr. Campbell is a good speaker, and thoroughly understands the duties of his office and the people with whom he will come in contact. The Government was fortunate in securing his services, and under his direction the question of the improvement of our highways should be materially advanced.

The office of the Provincial Instructor in Roadmaking will be found on the ground floor of the Parliament Buildings, Toronto (at main entrance), where Mr. Campbell will be pleased to see, at any time, any one interested in road improvement. Those wishing to communicate with him on any matter connected with this subject will please address him as follows:

A. W. Campbell, C. E.,
Provincial Instructor in
Roadmaking,
Parliament Buildings,
Toronto, Ont.

The Law of the Wheel.

A wheelman, in riding the road, partakes somewhat of the nature of a horseman, and to some extent reaps the benefits and disadvantages of the immemorial usages and customs applicable to him. For instance, it seems that there is no law requiring a horse man to turn to the right. The rule seems to be that a man on horseback should be governed rather by his notions of prudence and should be required to consider somewhat the convenience of vehicles which he meets, depending upon their character. A horseman should yield the travelled track to a vehicle, particularly if it is heavily laden, where he can do so without peril. The fact that bicycles and horses can pass along a track much narrower than that required for carriages, and that they also occupy much less space in length, are of weight in determining the duty of the wheelman or rider. So, too, is the fact that his control is more absolute than that of the driver of horses attached to carriages. A bicyclist, however, cannot be forced to ride his machine on dangerous ground, and the cardinal rule, subject to the above considerations, is "Keep to the right."—From the Barrister for May.



A. W. CAMPBELL, C. E., PROVINCIAL INSTRUCTOR IN ROADMAKING.

ing the best method of improving the ordinary highway. It is also proposed that, whenever an opportunity is afforded, he shall superintend the construction of a section of road as a sort of pattern or ideal towards which overseers may work.

In the establishment of the office the Government does not contemplate the expenditure of any money whatever by the municipalities. The Minister of Agriculture has always refused to entertain the idea of making any radical changes in legislation as to the labor employed on the road, or to give countenance to any scheme of taxation such as has been pro-

Municipal Amendment Act, 1896.

(Continued from May.)

18. The paragraph commencing with the word "Firstly" in section 505 of the said act is amended by striking out the words "three months" in the seventh line thereof, and substituting therefor the words "one month."

19. Section 525 of the said act is hereby amended by inserting therein, immediately after the word "law," in the third line thereof, the words: "And every road allowance reserved under original survey along the bank of any stream or the shore of any lake or other water."

ACTIONS AGAINST MUNICIPALITIES.

20.—(1) Sub-section 1 of section 531 of the said act, as amended by section 13 of the Municipal Amendment Act, 1894, is further amended by adding therein immediately after the word "accident" in the twelfth line of said section 13 the words "when the action is against a township, and within seven days when the action is against a city, town or incorporated village," and by striking out of said section 13 all the words thereof after the words "maintenance of the action" where they appear in the fourteenth line thereof.

(2) The amendments provided for by sub-section 1 of this section shall apply to and affect causes of action only which shall arise or accrue after the passing of this act, and shall not apply when the accident has occurred, or the injury has been received, or the damages have been sustained prior to the coming into force of this act, nor shall it apply to or affect pending litigation.

21. The following shall be added to section 531 of the said act as sub-section 8 thereof:

(8) In any case where an action may be brought against a municipal corporation by any person who has suffered damage by reason of the default by the municipality in keeping any public road, street, bridge or highway in repair as provided by sub-section 2 of this section, no action shall be brought in respect of, or to recover such damage, or any part thereof, against any member of the council, officer, or employee of the municipality personally, but the remedy shall be, lie and be had wholly against the municipality; but nothing in this sub-section contained shall apply to or affect pending litigation or prevent any action from being brought or maintained by any municipality against any officer or employee for negligence or misconduct, or for any act of omission or commission in breach of his duty as such officer or employee. Where any such action has heretofore been brought against any such officer, member or employee, the municipality may assume the same or the defence thereof and may pay any damages or costs for which such officer, member or employee may be or has become liable in respect thereof; this sub-section shall not extend to or include a mere contractor with the corporation, nor any such member of council, officer or employee who is such contractor, and by reason of whose act or neglect the damage was caused.

22. Nothing contained in section 531 of the said act shall cast upon a municipal corporation any obligation or liability in respect of acts done or omitted to be done by persons, companies or corporations, other than such municipal corporation, acting in the exercise of powers or authorities conferred upon them by law, and over which such municipal corporation has not control, when the municipal corporation is not a party to such acts or omissions and when the authority under which such persons, companies or corporations have acted, or shall act is not by by-law, resolution or license of the municipality.

COUNTY GRANTS FOR ROADS.

23. Section 533 of the said act is hereby amended by adding thereto the following sub-section:

(a) Any county council may, at the expense of the county, make, maintain or improve any township, town or village road or highway which runs into any county road, and may grant such sum or sums from time to time for the said purpose, as they may deem expedient.

24. Section 546 of the said act is hereby amended by adding thereto the following sub-section:

3. (a) In the case of road allowances reserved under original surveys along the bank of any river or stream or the shore of any lake or other water any such by-law shall not have force or effect until after the approval thereof by the Lieutenant-Governor in Council.

25. Section 550 of the said act is hereby amended by adding to sub-section 9 thereof the following:

"But, in the case of road allowances reserved under original surveys along the bank of any river or stream or the shore of any lake or other water, such by-law shall be of no effect unless and until the same shall have received the sanction of the Lieutenant-Governor in Council"

26.—Section 554 of the said act is hereby amended by adding thereto the following sub-section:

(b) The council of any county municipality may pass by-laws for granting aid to any town, township or village municipality in making, opening, maintaining, widening, raising, lowering or otherwise improving any highway, road, street, bridge or communication passing from or through any township, town or village municipality into a county road.

27.—Section 566 of the said act is hereby amended by adding thereto the following sub-section:

(8) For granting to any town, township or incorporated village in the county, aid towards improving any road, street, bridge or other public communication running into any county road of the county within which such local municipality is situate.

28.—(1) Section 613 of the said act is amended by striking out all the words after the word "property," in the third line of the first sub-section thereof, and inserting in lieu thereof the words "immediately benefitted by such work or improvement."

JUDGES' AUTHORITY FRONTAGE APPEALS.

(2) Sub-section 5 of section 618 of the said act is amended by adding thereto the following words:

Provided always that the said county judge shall not have the power, in case the assessment is duly made in accordance with a by-law for ascertaining and determining what real property is immediately benefitted by such work or improvement, to interfere therewith or alter the same, unless and only so far as upon the evidence he finds them untruly measured, or by reason of other lands benefitted being brought into the scheme or assessed therefor or the proportion of assessment of corner lots, triangular or other irregular pieces of land situate at the inter-sections or junctions of streets, on appeal to him, has to be modified or the share to be borne, in his judgment, should be changed, or unless he shall find that the property in respect of which an appeal is brought cannot, from its situation, be benefitted each by such work or improvement, and then in such case shall only interfere with or alter the assessment of the said local frontage so far as necessary to carry into effect any of the changes his judgment makes in that regard.

29.—Sub-section 6 of section 618 of said act is amended by adding thereto the following words: "And it shall not be necessary to submit to another court of revision the by-law for the actual cost of the work or improvement when such actual cost does not exceed the estimated cost as submitted to the court of revision by more than ten per cent., and where the proposed assessment has been regularly brought before a court of revision and the county judge, in case there has been appeal to

such county judge, and the municipality has in force therein a by-law passed under the provisions of section 615 of this act."

Section 30 to 34 apply only to cities having a population of over 100,000.

35.—Where the council of a town or city is required by the Consolidated Municipal Act, 1892, to establish a police office, the council shall from time to time provide all necessary and proper accommodation, fuel, light and furniture for the same, and for all officers connected therewith.

36.—Nothing contained in the act passed during the present session of this Legislature, intitled, "An Act Revising and Consolidating the Acts to Encourage the Planting and Growing of Trees," shall render the municipal corporation of any city, town or village, liable to compensate the owner of property adjoining any public highway in the city, town or village for the cutting or trimming or removal of any tree upon such highway, further than as provided by sub-section 20 of section 479 of the Consolidated Municipal Act, 1892, provided that such cutting, trimming or removal is done under the provisions of a by-law duly passed in accordance with the powers conferred by the last mentioned act.

37.—The council of any city or town may provide and maintain lavatories, urinals and water closets and like conveniences, in situations where they deem such accommodation to be required, either upon the public streets or elsewhere, and may supply the same with water, and defray the expense thereof and of keeping the same in repair and good order.

39. The Canadian Wheelman's Association of the Dominion or Canada may, at the expense of said Association, erect and maintain for the benefit of bicyclists and other travellers upon the public roads or highways, sign-posts at road intersections and wherever necessary to guide travellers, and mile-posts to show distances, and danger signals at hills which may be deemed by the said Association dangerous or unsafe for travellers on bicycles. Provided that every such sign-post, mile-post and danger sign shall be so placed as not to be an obstruction to the highway or to endanger the safety of any person travelling thereon; and provided further that no advertisements or notices shall be placed thereon except those only which give the names of places and show danger signs and distances as above mentioned, under a penalty of \$5 for every offence, to be recovered before any justice of the peace having jurisdiction in the locality.

Spread the Light.

Knicker—We made \$250 out of our concert in Massey Hall. How do you think we should spend it so as to get the best roads and cinder paths for wheelmen?

Bocker—There's only one way. Buy three bicycles and present one to Mayor Fleming and the other to members of the Board of Control. If we can get these men to ride wheels there will be no need for further agitation. Every time I see a bicycle agent I give him a tip to go and canvass the mayor.

Knicker—Hasn't he got a bike yet?

Bocker—Naw. But he won't get any peace and we won't get good roads till he does. Tell everybody you see.—Saturday Night.

Effective roads are the strongest argument in favor of good roads.

In order to get the ruts out of the road we must first get the roadmakers out of their ruts.

The Registration of Births, Marriages and Deaths.

By R. B. Hamilton, Inspector of Vital Statistics.

The attention of Division Registrars throughout the Province of Ontario, is directed to "the act revising and consolidating the acts relating to births, marriages and deaths," passed at the last session of the Legislative Assembly.

So many alterations, amendments and additions have been made that the present revised act is practically a new one to all intents and purposes, and I am pleased to say its several clauses are much more clearly laid down than was the case with its predecessor, which had about as many different interpretations attached to it as it had readers.

The duties of division registrars, medical practitioners, and all parties connected with carrying out the provisions of the new act, together with the penalties attached for neglect of duty, are so explicitly set out that "ne who runs may read," and none can now plead a lack of definiteness in their instructions.

DUTIES OF DIVISION REGISTRARS.

The present article is specially intended to call the attention of division registrars to a few of the most important sections of the act, with the hope that the department will receive their active assistance in carrying them out as thoroughly as possible.

Division registrars are now required to make diligent enquiry concerning births, marriages and deaths, and in case of neglect, to notify the proper person to register the same. It is advised that a blank card be placed in small envelopes prepared for the purpose, and addressed to the persons required by law to register. If after notification, the registration is not made, the division registrar must give the names of the offending parties to the inspector of vital statistics, who is authorized to institute proceedings against such persons.

Particular attention is called to the returns to be made half yearly. These returns should be mailed as soon as possible after the first days of January and July in each year. Do not wait until the fifteenth of the month, as all the returns should be in the hands of the registrar general by that time. These returns must be as complete as possible; and I would call the attention of division registrars, to a few points, the observance of which will save themselves and the department considerable extra work.

Always see that the date of a birth, marriage or death is complete; frequently the year is left out, never omit this.

If a year or more has elapsed in the case of a birth, and two years or more in the case of a death, before the particulars are sent for registration, do not enter them on the schedule to be sent to the department, but write the registrar general, requesting permission to register; said

registration to be made on forms specially provided for such cases.

All cases of still births must be entered both as a birth and a death, and be sure to give the father's name in both instances, so that the surname can be indexed.

In all cases where the dead body of any person is found elsewhere than in a house, that death should not be registered except with the written authority of the registrar general.

REGISTERS.

A local register, properly indexed, containing the full particulars of each birth, marriage and death is to be kept by each division registrar. These books are to be supplied at the cost of the municipality, and according to the form approved by the registrar general. The registers should begin in January, so as to include all births, marriages and deaths for the current year.

The fact will be noted that births and marriages are to be registered within thirty days after the event, and deaths before the interment of the body.

MONTHLY RETURNS OF DEATHS FROM CONTAGIOUS DISEASES.

On or before the fifth day of each month, division registrars must make returns of all deaths from contagious diseases occurring within their municipality, according to the form supplied by the registrar general.

PENALTIES

Special attention is directed to the penalties to be imposed for neglect of duty on the part of division registrars. The registrar general may refuse to issue him a certificate for payment of fees due by the municipality, even though the return should be made at a later date, and he shall, upon conviction before any magistrate or justice of the peace, forfeit the sum of fifty dollars to her Majesty.

FEES

The fact will no doubt be fully appreciated, that for each complete registration in the future the sum of twenty cents will be paid.

It will be noticed that all registration returns go through the post free. This includes the half yearly returns sent to the registrar general, but in all cases envelopes must be left unsealed.

I have frequently pointed out in my annual reports during the past years, that the large majority of division registrars were extremely anxious to make their semi annual returns as complete as possible, but owing to the small fees attached to the work and the lack of support from all quarters, their endeavors were seldom successful. I trust now that so many defects have been remedied and the principle adopted that "the laborer is worthy of his hire," the division registrars will show, by the result of their work in the future, that the confidence reposed in them has not been misplaced.

Two or Three Year Terms.

The following extract from the Montreal *Star*, referring to the term for which aldermen should be elected, shows the result of the three-year term in that city:

The Ontario Legislature abandoned the principle of two-year aldermanic terms incorporated in Hon. Mr. Hardy's bill. We in Montreal have recently adopted the two-year term; but it was a change from the supremely bad system of sending only a third of the council to the polls annually. The two-year term was a sort of a compromise between the old three-year term with the annual election of a third of the council and an annual election of the whole council, which many would have thought more desirable. The *Hamilton Herald*, in arguing against the two-year term, falls into an error respecting the experience of Montreal. It says:

"In Montreal they have tried the two-years' term along the lines of Mr Hardy's proposal, and it has been found to be a highly undesirable arrangement, for the reason that as the old ward boundaries are maintained there is not much chance for an escape from the old crowd of ward heelers and general incompetents who constitute the aldermanic rank and file in too many cities. Under Mr. Hardy's plan the cities would have to put up with them for two years instead of one, and, as they would not be called upon to face the electorate every twelve-month, they would be under less restraint even than at present. The best proof of the unsatisfactory nature of the plan is that Montreal tried it and abandoned it."

The *Herald* will see that it was the three-year term, coupled with an annual election, that Montreal tried and found wanting. The real complaint against the system was that it prevented the people from calling more than a small minority to account at any one time. It pays municipally to keep the council within easy reach of the popular hand. A bad measure has much less chance to pass when the municipal elections are near at hand than when they are two years off. The people may and do make mistakes, but the bad alderman always fears that they will do right for once.

A Lesson in Spelling.

A showman had an announcement stating, "Come and see the great sawed fish." A learned gentleman read it and informed the showman that he had made a mistake in the word "sawed," that it ought to be "sword." "Yer'd better come in an' see for yerself; the hadmission is only tuppence," said the showman. So the learned gentleman paid his "tuppence," went in, and was shown a large codfish sawed in half. "Yer ain't the fust gentleman wot has tried to teach me 'ow to spell," grinned the showman.—[Household Words.]

The Act Applies to All.

In view of the fact that the authorities are prosecuting parents for neglecting to register births, it may be interesting to point out that Queen Victoria incurred a fine of 7s. 6d. for having allowed six weeks to elapse before registering the birth of the present Duke of Edinburgh. Her majesty had to, and did, pay the fine.

Farmers should be in favor of good roads. They use them more than any one else.

Municipal Ownership of Electric Light Plants.

The tendency towards municipalization is greatly increasing. Within the past decade almost without exception water-work's plants are constructed and operated by the municipality, while previous to that time the great percentage was in the hands of companies. Generally speaking the street and and private lighting of urban municipalities is done by companies, and we now frequently find councils considering the advisability of owning and operating these plants. The economy of municipal ownership is based entirely on local conditions. A collection of favorable reports from cities owning their electric lighting plants will show its desirability, while unfavorable reports would as quickly indicate the opposite. A careful analysis of these, show that while the cost of fuel and labor varies according to localities and vicinities the cost of the operation of a lighting plant, and the revenue derived adhere to the general advantage. The reports indicate that the electric light station, if properly managed, offers opportunities for large returns on the investment, and perhaps more than any other business affords unlimited chances for numerous small leaks, which, taken into calculation, are not equal to the revenues derived. We cannot understand why a city should not own the lighting as well as the waterworks plant. To make a success of either, requires that the very best apparatus should be purchased, and the most competent labor and management employed. There are certain financial responsibilities which attend the ownership of municipal plant, which are deserving of careful consideration. Among these are, (1) liability of loss from fire. (2) Destruction of poles and circuit from storm. (3) Danger from a broken wire or defective insulation, and the possibility of costly litigation resulting. (4) Damage from lighting. (5) The probability of great advancement in electric generation and transmission in the near future. The risks and responsibilities can be taken and borne by the municipalities, as well as by a private corporation, and as it is generally contended that public lighting plants make the largest returns of any known investment; this could be saved to the tax payer. At the present time we may reasonably doubt the wisdom of the municipality making this investment in the face of the probability of the great advancement in electrical generation and transmission, which we know must result in a very few years. Our means of utilization of an electric current is by no means safely past the experimental stage, but on the contrary the electric domain is changing every day. Old appliances ceaselessly give way to new methods of production, distribution and utilization vary yearly, and we must in a short time expect it to thrust a revolutionary force in our lighting and power system.

The Necessity of Better Roads.

The remarkable development of the bicycle, and following that the advent of the horseless carriage, will make good roads a greater necessity than ever before in the history of the world, and especially on this continent, where road building has always been a neglected art. The Romans, in their invasion of England, left their impress on the country in those substantial roads which none but Romans seem to have understood the value of at the dawn of the Christian era, and those object lessons have not been lost on the practical Briton, who appreciates solid work. In consequence, the highways of Great Britain are the best in the world to-day, and the country reaps a real dividend on the outlay by cheapened cost of transportation. In Canada and the United States in the past, lack of capital and make-shift haste in development have left our highways not only rough, but in reality expensive for transportation purposes; and the quicker our municipalities wake up to the need of more attention to scientific road building the better it will be for their pockets and the public comfort. The Government of Ontario is the first provincial government in Canada to realize the situation, and the literature they have been issuing for the last two years, and their recent creation of a sort of "road department," give us hope that this province will not rest long under the reproach of the bad road abomination. In pointing to this hope we must not fail to mention the services rendered to this cause by a lay journalist—Andrew Patullo, of the Woodstock *Sentinel-Review*—who has not only agitated the subject with patience and persistence in his paper, but has spent much of his time without recompense in giving addresses at various places throughout the country. Such public spirit should not go unrewarded, and we trust this work will be taken up by newspaper men and members of Parliament in every other province of Canada. There are many people who still fail to see that a good solid road will pay a cash dividend on the investment, but this is because they have not looked below the surface. Like judicious advertising, good roads really and truly pay.—*Canadian Engineer*.

Where There's a Will There's a way.

The country newspapers are all the while talking of poor business in the country towns because of poor roads that prevent farmers from getting to market. The people are learning to wish for good roads. This is a very important step in the movement for better highways. "Where there's a will there's a way." When the people must have good roads, the way to get them will follow.—*Exchange*.

It is seemingly a short lane that has no mud in it.

Women Voters.

The following address to women voters was issued recently by Dr. Augusta Gullen Stowe of Toronto.—

During the past few months elections have been a chief topic of conversation, and the interest in them having not yet abated, I deem it an opportune moment to draw the attention of women voters, and women generally, to the merits of so important a subject, reminding them of their duties as citizens and State builders. We have reached that period of intelligence in our civilization that has brought conviction to the minds of all thinking people, of both sexes, that there is no sex in ownership, and that there can be no discrimination of interests upon such basis.

All that contributes to the comfort, happiness, or convenience of men, is equally important and necessary to women. Women have been told that their kingdom is the home, and, in acceptance of the fact, viz., that governments, whether of State or municipality, are but the outcome of an aggregation of homes: it must be clear to every woman, whose instincts favor a clean and orderly home for herself, that her duty does not end with the individual home she calls her own. In the municipal or State home, where a community of interests are to be dealt with and equitably adjusted, good and wise housekeepers are in order, and it behooves every woman—every housekeeper of the individual home—to use all means in her power to place men of honest purpose in so responsible a position as municipal or provincial housekeeper. In order to effectually aid in doing this, we must faithfully exercise the franchise that has been already extended to us, and for the better instruction of those who may not know their privilege, I append a few facts from the Municipal Act.

Under section 79, "The right of voting in municipal elections shall belong to men or single women of the full age of twenty-one years, subjects of Her Majesty by birth or naturalization. Firstly, all persons, whether residents or not, who are in their own right, at the date of the elections, freeholders of the municipality; secondly, all householders or tenants who have continuously resided therein since the completion of the revised assessment, and, thirdly all who are in receipt of \$400 income.

Under section 80 a person is entitled to vote in respect of real property—whether leasehold or freehold, or partly each, if the rating of the actual value is not less than \$400 in cities.

Sections 85 and 87 instruct us that the owner and occupant of a house worth \$800, and being severally, not jointly, rated, each may vote, also if the assessed value of the house is 1,200 three persons, owner and two occupants may vote, and so on in the same ratio.

An occupant of a part of a house, having an outer door into a road or street, is a householder, and can vote under the act.

QUESTION DRAWER.

Subscribers are entitled to answers to all questions submitted, if they pertain to Municipal matters. It is particularly requested that all facts and circumstances of each case submitted for an opinion should be stated as clearly and explicitly as possible. Unless this request is complied with it is impossible to give adequate advice.

Questions to insure insertion in the following issue of paper should be received at office of publication on or before the 20th of the month.

Communications requiring immediate attention will be answered free by post, on receipt of a stamped addressed envelope. All questions answered will be published.

Money By-law—Police Village.

194.—F. H.—On the 30th day of March, the trustees of the police village of Hensall, applied to the council for power to purchase a fire engine and other appliances, the same not to exceed the sum of \$3,500. The application was accompanied by a largely signed petition of ratepayers of that village.

The council passed the following motion: that upon application the police trustees of the village of Hensall be empowered to purchase a fire engine and appliances, the same not to exceed the sum of \$3,500, and that a by-law be passed in accordance with Vic. 58, chapter 42, section 663c.

Now, will it be legal for the council to pass a by-law and issue debentures, without submitting the by-law to the electors, or will the petition be sufficient? The whole of the police village, as far as this township is concerned, would be included in the by-law, not a portion only or a defined area as mentioned in section 663a.

No. The by-law must be submitted to a vote of the electors. 663c says the council shall submit, etc. Sub-section 4, of section 664d, shows the cases in which the assent of the electors is not necessary.

Assessment of Personal Property of Electric Railway.

195. T. M.—I want to know if the personal property of an electric railway company is liable to assessment, consisting of rolling stock, poles, wires and other loose property? Are the rails and ties personal, or is it counted as real estate? If telephone companies are assessable, do not telegraph companies come under the same head?

Sub. Sec. 2 of Sec. 4, Consolidated Assessment Act, 1892, provides: "The personal property of a bank or of a company which invests the whole or the principal part of its means on gas works, water works, plank or gravel roads, railway and tram-roads, harbours or other works requiring the investment of the whole or principal part of its means in real estate, shall, as hitherto, be exempt from assessment; but the shareholders shall be assessed on the income derived from such companies. R. S. O., 1887, c. 192, s. 34."

If a company invests the whole or principal part of its means in real estate, its personal property is exempt under this sub-section. In the case of the Toronto St. Ry. Co. vs. Fleming the Court of Appeal held that the rails and sleepers placed upon the public streets were not assessable as lands. The main reasons assigned by the court for so holding were that there was no provision in the Assessment Act for assessing an easement

and that the provisions of the Assessment Act for rating property and realizing taxes were wholly inapplicable to an easement over a public highway exempt from taxation. In a certain case, the Bell Telephone Co. vs. Winchester, Judge Carman held that the posts and poles of the Bell Telephone Co. were assessable. Judge Horne of Essex has decided that municipalities cannot assess the telegraph wires of the Canadian Pacific Ry.

We are of the opinion that telegraph and telephone poles and wires and the rails and ties of street railways on the public highways are not assessable. Our opinion is based upon the decision of the Court of Appeal in the Toronto St. Ry. Co. vs. Fleming. Some changes have been made in the Municipal and Assessment Acts since that decision but we do not think they make an easement over a public highway, the subject of taxation, and therefore that the case of the Toronto St. Ry. Co. vs. Fleming still governs cases of this kind. In the latter case Richards, C. J., said "It seems to me that the suspending of wires over land is more like an easement than the foundation of a street railway let into the land and forming, in fact, part of it. The rolling stock and loose property is taxable as personalty unless the company is exempted under sub section 2 of section 34."

Assessors' Duty.

196.—D. B.—A being assessed for a tract of land for a number of years and says to the assessor, "I do not want to be assessed for it any longer," probably on account of getting the timber removed off. What course should the assessor take?

Has the council power at the Court of Revision to change names from the resident roll to the non-resident? Some parties get their wild lands on the resident roll, so these lands will not come up for sale at the county treasurer's office.

1. It is the duty of the assessor to make careful enquiries and assess according to the facts. It is not the right of A to dictate to the assessor whether he shall or shall not be assessed.

2. No.

Award re Union School Section Sufficient Without By-law.

197.—C. P.—In proper time a proper petition duly signed was handed to council desiring a union school of parts of two townships in same county. Our council appointed an arbitrator, so also the other township. The arbitrators met and made their award, granting the prayer of the petition with slight variations. The award was sent to me. I called a meeting of our council for the purpose of confirming the arbitrators' award by a by-law. At the meeting my opinion as to the necessity of passing a by-law was over-ruled and no by-law passed. I held the idea that all changes in school sections should be by by-law passed before 1st of May. The award was based on section 87 of 1891.

In the clause for formation of union school sections nothing is said of a by-law, but in reading over note page 208, Harrison's Manual, it favors in doubtful cases a by-law as best. A council cannot alter or form a school section without a by-law. Then how can they delegate that power to another? When the schools from which the

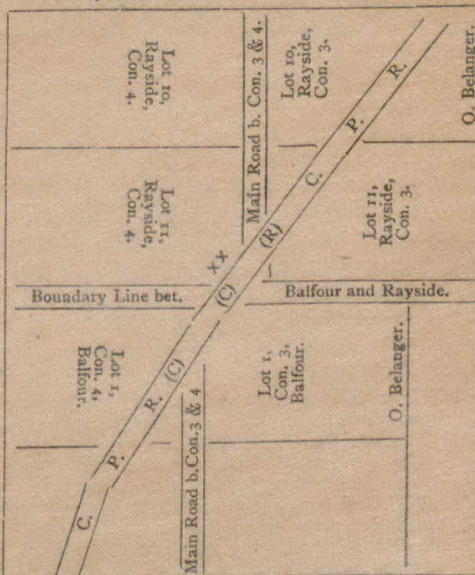
union is formed are altered, would not a by-law at least be necessary to confirm the altered condition?

A by-law is not necessary in this case. The award of the arbitrators is binding, unless appealed from in the manner provided. Where power is given to a council to do an act, that act should except where it is clearly provided that it may be done by resolution, be done by by-law. In this case the procedure provided by statute for the formation of a union school section has been followed. We can find nothing in the act requiring a by-law. If no appeal is taken within one month, the award goes into operation, under section 88, and under sub-section 11 of section 87, is binding for five years. To say that a by-law of the council is necessary, implies that the award is not binding without the council approves of it, which is clearly not so.

Cannot Force Council to Buy Road.

198.—O. B.—I live on lot 1, con. 3, Tp. Balfour, and I own lot 10, con. 3, Tp. Rayside. As you will see by the enclosed plan the C. P. R. railway crosses the road at three places. The C. P. R. has allowed two crossings, one on road between concessions 3 and 4, township Balfour, and the other on road in the boundary line between townships Balfour and Rayside, but refuse to allow crossing on road between con. 3 and 4, Tp. Rayside. Therefore I have no road to go from my residence on lot 1, con. 3, Tp. Balfour, to my lot 10, con. 3, Tp. Rayside unless the municipal council of the township of Rayside open a road along side of the C. P. R., a distance of about 4 1/2 acres, marked on the plan thus xx. Of course the council would have to buy the right of way for the above distance of 4 1/2 acres.

Now, will you please inform me in your MUNICIPAL WORLD if I can force the municipal council to open the above mentioned road of 4 1/2 acres long and marked xx on the enclosed plan? If so what means to take? The two crossings are marked C on the plan and the one refused by the C. P. R. is marked R.



The council cannot be compelled to open the road.

Redemption of Lands Sold at Tax Sale—Percentage.

199.—J. P. T.—The information I particularly want is in reference to the redemption of lands sold for taxes. Section 170, clause

2 of the Consolidated Assessment Act reads "but the owner of any lands so sold shall not be at liberty to redeem the same except upon payment of the full amount of taxes due, etc."

Now section 180 reads "the owner or any other person may redeem by paying purchase money and 10 per cent. thereon."

Do these two questions not clash? or how are they interpreted?

The two sections referred to, do appear at first to clash, but are reconcilable. Section 180 is clear and full effect must be given to it. Where land has been sold, and the purchase money paid, the purchaser is entitled to be repaid the amount paid by him, together with an addition of ten per cent. thereon. If the land sold for enough to pay the full amount of the taxes and expenses of sale, the municipality would have no further claim; but suppose the land did not sell for enough to pay for the arrears of taxes, the owner to redeem the land would have to pay an amount sufficient to satisfy the purchaser's claim, and an additional amount sufficient with what the purchaser paid the treasurer to make up the whole of the arrears of the taxes.

Assessment of Railway Store.

200.—Clericus.—The I. B. & C. Railway Company are assessed for the right of way occupied by them in this municipality for so much. At their station house the general manager has a store carried on not in the name of the company but in his own name and under the management of the station master. The assessor has assessed the house and business as follows: C. J. Pusey, merchant occupant, part lot 25, con. 5, 1-5 acre, value of real property \$15; personal property, other than income, \$144; total, \$159. Now, what I want to know is this: 1. Is this assessment lawful? Part of the station house being occupied by the railway company as a freight room, a portion by the agent as a dwelling and a portion or balance as the store.

2. Could Mr. Pusey's interest in the store be assessed legally in any other way, and how?
3. Should he not appeal against said assessment within fourteen days from return of roll, will it stand?

The assessor ought to have assessed the house along with the roadbed, against the railroad company as owner, and against the general manager as occupant. The building forms part of the land, and we know no authority for assessing the house separately from the land. Unless the general manager can get his name struck off the roll on appeal, we have no doubt but that he will be liable for the taxes.

Collector's Bailiff—Costs.

201.—A. M.—A collector employs a bailiff to distress for taxes, who accordingly seizes and sells a boat which he believed belonged to the person but not on the property, liable for the taxes. Another person who claims he owns the boat enters a suit against the collector for damages.

Now, can the collector claim damages from the township re cost of suit, etc.? In short, is the township liable for the act of the collector in this case?

The council is not liable to the collector, nor is it liable to the owner of the boat, unless the council co-operated with the collector, or directed him to make an illegal seizure. He is not the servant of the council when he employs a bailiff to

make a seizure to satisfy taxes, so as to make the corporation liable for his wrongful act.

Electric Light Poles on Street—Cattle on Highway.

202.—TOWN CLERK.—1. Can a private party or company erect electric light poles and wires in a town without the authority of a by-law?

2. Is a town liable for any accident to cattle running at large, through the unimproved state of roads, when such cattle are permitted to run by the authority of the by-laws?

1. Unless authority is given by some special act, the consent of the municipality expressed by by-law is necessary. See sub-section 39, of section 496, Consolidated Municipal Act, 1892, and also chapter 165, New Statistics Ontario, 1887.

2. The owner of cattle running at large is not entitled to recover damage from the town, because he is not when his cattle are running at large, using the highways for the purpose for which highways are intended. Municipal corporations discharge the duty imposed upon them when they keep their highways in a reasonably safe condition, for the purpose for which they were designed.

Assessor to Complete Roll—Statue Labor.

203.—W. G.—1. Assessor in making out the roll places opposite the name in column 4 (at the head of the page) the letters M. F. F. and places two dots, thus . . . opposite the rest of the names, which are supposed to indicate that they are the same. (1) Will the dots stand as the letters and qualify to vote on or will the letters require to be placed there? (2) And if so whose duty is it to place them as the roll is returned to the clerk?

3. The assessor also in making out the roll assesses father and son as joint owners and places the letters M. F. F. opposite their names in column 4 and also places one day's statute labor opposite the son's name, over and above the amount which they would be entitled to perform according to the value of their assessment. Has the assessor any authority for doing so? (4) Can the municipal council compel the day's labor to be performed? (5) Would the clerk be justified in placing the extra day on the statute labor list?

1. No. See Sec. 14 of Assessment Act re particulars to be entered in column 4 of the roll.

2. The Court of Revision should order the assessor to complete the clerical work of his roll.

3. No.

4. No.

5. No.

Assessment of Shareholders of a Company.

204.—A SUBSCRIBER.—A joint stock cheese company is situated in our township, assessed for \$1,600. The shareholders elect a board of seven directors; some of these directors are residents of an adjoining township and they requested the assessor to put their names on the roll so they might vote. He refused, and they are coming to the Court of Revision to press their claim. Have these men a vote?

Section 34 of the Assessment Act, provides that an incorporated company shall be assessed the same as a partnership. Under section 35 the whole personality should be assessed against the company itself. The shareholders are not to be assessed in their individual capacity. We think the assessor is right.

By-Law re Children Out after Hours—Lien for Charities—Cows Running at Large.

205.—M. E.—1. Can a village council pass a by-law to prevent children under 14 years from being on the public streets after 9 o'clock p.m., if unaccompanied by their parents or guardians, and imprisoned in the lock-up until morning if found on the streets contrary to by-law?

2. Can a council take a lien on real estate for charities given an owner of such real property?

3. Can a council prevent a person from allowing more than one cow to run at large at one time?

1. No. But the constable may take children to their homes.

2. Yes, under the circumstances mentioned in section 13, chapter 35 of 56 Victoria.

3. Yes.

Polling Sub-Division—Number of Names in—Non-Resident Tenants.

206.—L. S. B.—1. Is a voters' list illegal with more than 200 names in a sub-division?
2. Should non-resident tenants be placed on the voters' list, and if so in what part?

3. The assessor has omitted some names and property from the Assessment Roll. What course should I take to have the same assessed?

1. A polling sub-division ought not to contain more than 200 voters. It is the duty of the council to vary the polling sub-divisions from time to time so that none shall contain more than 200 voters. Sec. 489, Consolidated Municipal Act, 1892; but sub-section C of same section, provides that an election shall not be avoided if sub-division is wrongly divided so long as it does not contain more than 300 votes.

2. Yes, in part two.

3. The assessor or any municipal elector might have appealed to the court of revision to have the necessary corrections made. If no complaint was made within the time limited, the court of revision has power to extend the time for making complaint, where it appears there are palpable errors; see sub-section 18, of section 64, Consolidated Assessment Act, 1892. Neither the assessor after he has returned the roll, nor the clerk of his own motion has the right to make any alterations. We would suggest that the court of revision extend the time ten days, and that notice should be given to the person who may be affected, stating the ground of complaint, and requiring him to attend before the court of revision at the place and hour to be stated, and show cause why the correction should not be made. We also refer you to section 154.

Possession of Unopened Road Allowances—How Granted.

207.—R. H. K.—1. Can a council require all road allowances fenced in, to be opened or compel the parties having them fenced in to pay rent?

2. Can they do so without first passing a by-law, or is a motion all that is required?

The council may enforce the opening of road allowance. It has no power to rent road allowance. If it is not necessary, in the public interest, to have those particular road allowances opened, and the council receives rent in advance, perhaps no harm would arise, but the council clearly

has no power to enter into a contract of that kind.

2. A by-law is necessary, and eight days notice in writing should be given to the person in possession. See sections 552 and 553, Consolidated Municipal Act, 1892.

Cutting Down Fence.

208.—CLERK.—An agricultural society built a fence eight feet high around their grounds and it was cut down to six feet by a man living along side without permission from the society. He claimed it spoiled his view of the town. What can the society do?

He may be sued for damages; he had no legal right to cut down the fence.

Engineer's Report—Clerk's Fees—Local Improvement Act

209.—H. R.—A council adopts engineer's report on a granolithic sidewalk laid down under Local Improvements Act and by-law of corporation. Among other expenses he allows clerk's fees \$10. The Court of Revision confirms said report, the debentures are issued and paid into the treasury to credit of granolithic sidewalk account, said \$10 being included in debentures issued and paid. Can the council now refuse to pay the clerk this amount?

Where a clerk is employed at a fixed salary, he is bound to perform the duties of the office for that salary. What were the duties performed in this case by the clerk, which he was not bound to perform as clerk for that salary? Unless he performed extra services which he was not bound to perform without extra compensation. We do not think he can recover from the corporation, notwithstanding the fact that a limited sum of \$10 was placed in the engineers' estimates of the cost of the work. The money ought to be refunded to the parties who contributed it. They are taxed along with the other rate-payers for the salary of the clerk, and it is unjust that they should have to pay \$10 more than the work in question really cost.

May be Councillor in Two Municipalities.

210.—S. C. H.—An incorporated village has just been formed in our township. Can a person be elected as councillor in said village while he is councillor in the township? Is it lawful for him to act in both village and township municipalities?

There does not appear to be any provisions in the Municipal Act, that the same person shall not be qualified to act as councillor in two municipalities at the same time. Section 73, enables a person to act as councillor in a municipality in which he is not a resident—if he is within two miles of it. The statutory declaration required to be taken under section 270, contains nothing inconsistent with the idea of the same person filling two positions. Bailey, J. in *Rex vs. Tizzard*, 17 English, C.L. 193, says: "Two offices are incompatible, where the holder cannot in every instance, discharge the duties of each. We cannot however see how this doctrine can apply to the case of a mere councillor. The duties of the two officers do not clash. If it were the case of a reeve or deputy reeve, the duties of each officer could not be carried out in every instance. Take for example their duties as county councillor. The act

intends that each municipality shall have a certain representative, but there is no provision by which a person representing two municipalities can cast a vote in each municipality, and therefore he could not discharge the duties of each.

Separate School Supporters—Error in Assessment.

211.—J. W. P.—We have a separate school in our township, notice was given by separate school supporters, and entered in index book in 1892. Last year two of them gave notice of withdrawal, January 2nd, and January 8th. They are assessed as P. S. supporters on roll 1896, also two others have been assessed as P. S. supporters, and have not given any notice of withdrawing to me. The separate school trustees have appealed to our court of revision, to have all assessed as separate school supporters.

1. Would you advise the court of revision, what they can do legally in the matter of the appeals, or if they should do anything?

2. Is the Separate School Act of 1886 amended by later acts, than the one requiring an index book to be kept? If so, where will I find it?

1. Where a Roman Catholic gives notice pursuant to section 40, R. S. O., chapter 227, he continues to be a separate school supporter until he has given notice of withdrawal, pursuant to section 47 of the same act, before the second Wednesday of January in any year. Separate school supporters appear to have given notice of withdrawal in time, and they are properly on the roll as public school supporters. The other two have not given notice of withdrawal, and should be on the roll as separate school supporters. If proper notices of appeal have been given, the court of revision should make the necessary changes accordingly.

2. Chapter 227, R. S. O., 1887, and chapter 71 of Ontario Statute, 1890, contain all the laws regulating the procedure relating to the assessment of Roman Catholic supporters of separate schools.

Re Arbitration U. S. S.

212.—C. P.—In the consolidated statutes a by-law was required up to 1891, and I suppose it had been overlooked in 1891 legislation. I can't see any verbal wording favoring a by-law for such a case, but I am strongly of the opinion that it is implied. I cannot see that the council should have power to delegate a power to an arbitrator to form a union school without confirming it by by-law, when a council cannot alter a section without a by-law. The council can after five years, by by-law, remove their portion from the union without notice. In the latter part of your letter you state, "to say that a by-law of the council is necessary, implies that the award is not binding without the council approves of it, which is clearly not so." Now how would that idea suit with the statutes before 1891, that says there must be a by-law?

Any petition laid before council, (where certain numbers are required) requiring a certain thing done, there must be a set time to consider the by-law, and interested parties must be notified, and they may be present at such consideration, and may object to the passing of such by-law from various causes, etc. Section 218, Harrison's Manual, section 291, note D. It strikes me that this would apply to the arbitration in question. I admit that the statutes of 1891 require no by-law, but at the same time I am of the opinion that the statutes regarding by-laws require a by-law in this case.

We have nothing in our books to show that an award was made, or received no acknow-

ledgement. I think that if we were compelled by law, to be governed by the award, we should pass a resolution at least to adopt it. Harrison's notes say if a council has any doubt as to which is proper, "a resolution or by-law adopt the by-law, on this ground I favor by-law."

I am also of the opinion that an award should be governed thus:

1. Arbitrators to be sworn.
2. Signed in presence of each other.
3. Sealed and sent to destination.
4. No alteration afterwards by arbitrators.
5. Witnessed.

We adhere to the opinion already expressed. The idea arranged by the words within quotation marks, would not suit the act before 1891. It was not intended to suit that act, but the act of 1891. The legislature appears to have deliberately omitted the provisions of the R. S. O., 1887, chapter 225, requiring the confirmation of the arbitrators decision by by-law, and that furnishes the very best argument that the legislature did not intend that a by-law should be necessary after the act of 1891, and properly so, too, because the passing of a by-law was formal, and was imperative. The council could not alter the arbitration decision in any way. Sub-section 9, of section 86, R. S. O., 1887, chapter 225, and sub-section 10 of section 87, of the act of 1891, shows that a by-law is not necessary under the latter act. Sub-section 9, reads: No alternation or dissolution of a union school shall take effect before the 25th day of December in any year, which will be at least three months after the passage of the by-laws respectively. Sub-section 10, reads: Such union alternations or dissolution shall not take effect until the 25th day of the month of December, which will be at least three months after the award of the arbitrators, or a certified copy thereof is filed with the clerks of the municipalities concerned." From these two sub-sections it will be seen, that under the former law, the decision of the arbitrators did not take effect until a certain fixed time after the by-law, while under the present law such decision takes effect within a certain fixed time after the award, or a certified copy thereof is filed with the clerks of the municipalities. The rule laid down by Harrison referred to by C. P., is a very important one. Wherever an act gives a municipal council power to do a certain thing, and the mode of exercising that power is not stated. If it is not clear that a resolution would be sufficient, a by-law should be passed. To illustrate this, suppose the act prior to 1891 had simply provided that the arbitrators report should be adopted or confirmed by the council without saying whether that should be done by resolution or by-law. We would say that it was a case in which a by-law ought to be passed.

Clergymen's Salaries.

213.—C. C.—A and B are clergymen, the one receiving a salary of \$730, and the other \$1000 per annum. Are they liable to be assessed for same or part of it? If so, for how much?

They are liable to be assessed for the excess above \$700 i. e., \$30 in the one

case, and \$300 in the other. See subsection 23 and 24a of section 7, and section 31 Consolidated Assessment Act, 1892.

Destruction of Street Sign—No Liability.

214.—J. B.—1. In an incorporated village, a barber's sign-post stood on the outside of the sidewalk. Last winter a sleighing party came to the village hotel. In the night, some of the party, after imbibing somewhat freely, went across the street and broke down and smashed the barber's sign post. He now wants the village council to pay for repairing the post. Is the council obliged to pay?

2. If the sign post stood on the barber's own property, would the council be liable for the damage?

1. No.
2. No.

Public School Fees—Non-Resident.

215.—CLERK.—A man is assessed for lot in town, but lives outside of the corporation. Has he to pay the monthly fee to send his children to school?

Yes. Subject to the provisions of subsection 2, of section 172, Public Schools, Act, 1891, which reads:

(2.) The parents or guardians of such non-resident children, shall pay to the trustees of the school to which their children have been admitted, such fees monthly as may be mutually agreed upon, provided such fees, together with taxes paid to such school (if any), do not exceed the average cost of the instructions of the pupils of such school.

Ratepayers May Appeal—Statute Labor on Townlines.

216.—A SUBSCRIBER.—1. I would like to know if one who is not a ratepayer in a municipality, can, or has the right to appeal against other assessments?

2. Say if two adjoining townships, divided by a county road, have a right to perform equal amount of statute labor on that county road?

1. Any person has a right to complain of error or omission in regard to himself, but municipal electors only have a right to appeal against the assessment of others, see section 64, subsection 1 and 3, Consolidated Assessment Act.

2. In case of dispute in reference to townline maintenance, the question may be determined by the county council, under the authority of section 559, which reads as follows:

"The county council may determine upon the amount which each township council interested, shall be required to apply for the opening or repairing of such lines of road, or to direct the expenditure of a certain portion of the statute labor, or both, as may seem necessary to make the said lines of road equal to other roads."

There are many farmers who know their business, but usually their business isn't roadmaking.

The amendment made to the Municipal Act at the late session, to enable county councils to make grants to roads, which lead into country roads, only affects those counties in which county roads are maintained.

LEGAL DEPARTMENT.
JAMES MORRISON GLENN, LL. B.
Of Osgoode Hall, Barrister-at-Law.
EDITOR.

LEGAL DECISIONS.

Longbottom vs. Toronto.

Municipal Corporations—Negligence—Defective Sidewalk—Notice of Action—Pleading—57 Vic., chap. 50, sec. 13 (O.).

The defence of want of notice of action required by section 13 of the Municipal Amendment Act, 1894, in an action against a municipal corporation for injuries sustained through a defective sidewalk should be set up in the statement of defence, if the statement of claim is silent on the point, and the judge can then go into the circumstances, if any, which excuse the want or insufficiency of the notice. And where the objection in such a case to the want of notice was not raised until after the evidence was closed, a motion for a non-suit was refused.

In re Hamilton Gas Company and the City of Hamilton.

Consolidated Assessment Act, 1892, section 1 (9), and section 34 (2), Assessment of Gas Mains and Gas Meters.

Held, that the mains of a gas company laid under and along city streets, together with the portion of such streets occupied thereby (i. e., the soil displaced, and that necessary for the support and protection of the mains) are assessable against the company as "land" under section 1 (9) of the Consolidated Assessment Act, 1892, but that gas meters on the premises of the consumers of gas are personalty of the company, and therefore exempt under section 34 (2) of that act. Consumers' Gas Co. vs. City of Toronto, 31 C. L. J., 488, considered and followed. Hamilton, December 3rd, 1895, Snider Co., J.

Stillwell vs. Bayham and Middleton.

Accident on Townline—Notice in writing within thirty days.

The plaintiff sued the townships of Bayham and Middleton for injuries sustained by his horse, harness and sleigh while hauling a load of logs along the town line between the above townships. The township of Bayham, in the defence entered before the trial, gave the plaintiff specific notice that he had not given either the reeve or clerk a notice in writing of the accident and cause thereof, as required by section 13, cap. 50, 57 Vic., within thirty days after it happened. Judge Robb, of Norfolk, gave effect to the objection, and non-suited the plaintiff, holding that a verbal notice to the council while in session, and the reeve or some member telling the plaintiff that they would look into the matter, did not constitute a reasonable excuse for not having given the required notice in writing within thirty days. The learned judge also held that if there was a liability at all the two townships were jointly liable, and there-

fore the objection raised by Bayham, and specially pleaded, enured of necessity to the benefit of Middleton, and he non-suited the plaintiff as to that township also. J. Carruthers for plaintiff; J. M. Glenn for Bayham, and W. A. Dowler for Middleton.

N. B.—By section 20, Municipal Amendment Act, 1896, the notice must be given in the case of cities, towns and villages within seven days, and, except in the case of the death of the person who has sustained the damage, the want of the notice will now be an absolute bar if pleaded, the latter part of section 13 of the act of 1894, which enabled a plaintiff to give a reasonable excuse for not having given the notice having been struck out, but the amendment does not apply where the accident happened before the act came into force or to pending litigation.

York vs. C. P. R.

Mr. Justice Rose recently delivered judgment upon the dispute between the C. P. R. and the township and county of York. Some time ago the Railway Committee of the Privy Council at Ottawa made an order directing the township of York and the county of York to share with the city of Toronto the cost of maintaining gates for the protection of the Canadian Pacific Railway crossings at Dufferin and Bathurst streets in the city. The township of York and the county of York contended that the Railway Committee had no power to make such an order, and Judge Rose took up the case based upon these objections. Deputy Attorney-General Cartwright appeared for the Ontario Government; Christopher Robinson, Q. C., for the C. P. R.; A. B. Aylesworth, Q. C., for the township of York, and Mr. C. C. Robinson for the county. At the conclusion of a lengthy argument, the court made known its decision, which was in favor of the railway. Judge Rose held that the Railway Committee was fully within its rights in making the order complained of. Therefore the township and county of York must help the city of Toronto bear the expense of protecting the level crossings of the C. P. R. at Bathurst and Dufferin streets.

Desirable Tenants.

Are you a chess player? asked the landlord of a prospective tenant. I much prefer to have my houses occupied by chess players.

No, I am not a chess player, and I can't account for such a singular preference.

It is simple enough. Chess players move so seldom, and only after great deliberation.

The amendment to the Assessment Act made at the late session of the Legislature does not exempt the goods of assessed tenants from seizure for taxes. Only the goods of subsequent tenants are exempt.

Birth, Marriage and Death Registers.

Need of Better Highways.

EXISTING SYSTEM GENERALLY RECOGNIZED
AS POOR AND INADEQUATE.

At this stage of the good roads movement it is not necessary to speak of the value of the work. The need of better highways in the interest of all classes is generally recognized, but as with every other reform the chief obstacle to be overcome is the inertness of people who know what ought to be done, but who do not know how to do it and are not yet stirred up to activity. Local and even state interest in road improvement can accomplish much, but the tendency in every enterprise involving the spending of money is for a small body to hang behind the larger.

The natural supposition would be that the farmers who use the roads most would be first to demand their perfection, but they hesitate to spend more money than neighboring communities, and it is only with encouragement from the state that they can be induced to make any outlay. So the states need to be aroused to a common interest in the subject, and the citizens need to feel that it is a matter of common concern, until a town will come to consider it a disgrace to have such roads as are now too often endured with no attempt at improvement.

Road Building a Science.

Our communities should awaken to the fact that road construction is a science; that good roads cannot be built on the haphazard guess of an inexperienced individual that the mere placing and compacting of broken stone on a road is only a matter of labor and workmanship; that workmanship will be of no avail, however thorough as it may be, if the design has not been carefully adapted to the conditions to be met and to the ends sought; that an excess of strength can readily be secured by an unreasonable expenditure of money, but that the requisite strength and the best results at the minimum of cost are to be obtained only by the application of well defined rules.—*New York Independent.*

Step in the Right Direction.

While the movement for improved highways has not yet accomplished what was expected of it in some sections of the country, the agitation of the question has served to educate the people not only in relation to the value of good roads, but also as to the means of preserving serviceable highways when once secured. It is now generally recognized that the use of wagons with wide tires is one of the indispensable aids to the maintenance of permanently good roads, and the near future will undoubtedly witness the practical desertion of the narrow tire for all heavy wagons.—*Colman's Rural World.*



We have made arrangements to supply the registers, required by municipalities under the Registration Act of 1896.



The paper, ruling indexes, etc., of which have been approved by the Registrar General.



Division registrars are requested to send in their orders on the reply post card supplied. Specifying number of Register required, at an early date, and thereby assist us in completing the books as soon as possible.



Each register contains index and the forms required for entering returns of births, marriages and deaths for the number of years specified.



The binding of the registers will be good, and in two styles as ordered. Half-bound (leather back and corners, with cloth sides) Full sheep, (all leather cover).



Each register will be neatly labeled in gold, on side or back, according to thickness of book.

Further information on application.

Address,

The  Municipal World

ST. THOMAS.

THE TRADE SUPPLIED.

Books and Forms for June

Public Health Acts (INCLUDING AMENDMENTS, 1895)

Members of Local Boards of Health should all be supplied with copies of the Act defining their duties and liabilities. Paper cover, Price 20 cents each, six for \$1.00.

Assessors' and Collectors' Guides

Containing all legal decisions affecting the sections of the Assessment and other Acts relating in any way to the duties of these officials. Bound in cloth—1 volume. Price \$1.25.

Ontario Statutes, 1896

Place your orders with THE MUNICIPAL WORLD, and secure the Statutes as soon as issued. Reduced rates to councils ordering more than one copy. Price will be announced later.

.. Order Now ..

*Trustees' Requisition Forms.
Assessors' Awards—Union School Section.
Statute Labor Lists.
Gravel Certificates.
Notices re Noxious Weeds.
Notices—Jobs for sale.
Ditches and Watercourses Act and Drainage Forms.
Forms for making out Printers' Copy Voters' List.
Treasurer's Cash Books, Ledgers and Journals.
Collectors' Rolls and Receipts.*

No Samples—Blanks may be returned if not satisfactory.

Address all orders to

The Municipal World



ST. THOMAS.

PAGES

MISSING