

# The Municipal World

PUBLISHED MONTHLY IN THE INTERESTS OF

THE MUNICIPAL INSTITUTIONS OF ONTARIO



Vol. 5. No. 12.

ST. THOMAS, ONTARIO, DECEMBER, 1895.

Whole No. 60

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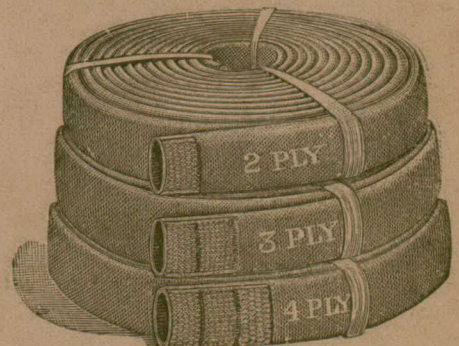


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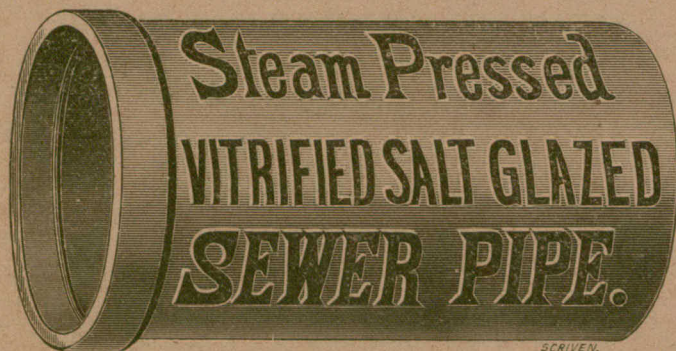
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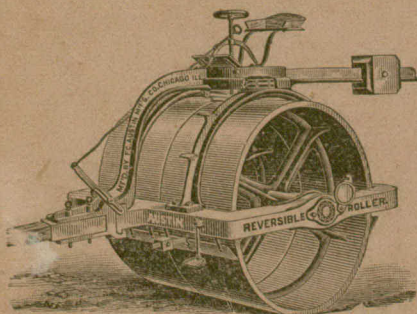
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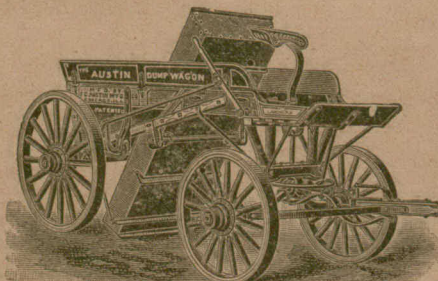
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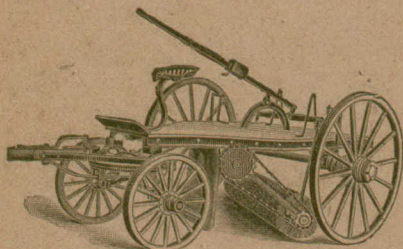
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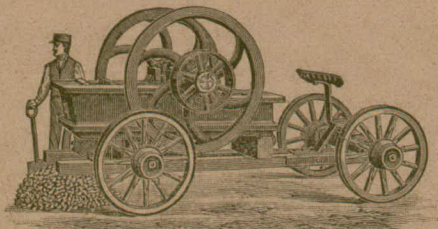
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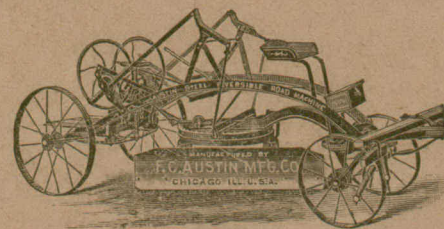
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Letter paper, 8 x 10, ruled or unruled, per pad of 100, with blotter	20, 25 and 30
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Account paper—	
Double S, c. column, ruled on both sides, per ream	3 50
Per quire	25
Ruled on one side only, per pad of 100	35
Envelopes—	
No. 7 white, 3¼ x 6, per 1,000	.90, 1.25, 1.50
No. 7 white, per package	.5, 8, 10
No. 7 manilla, per 1,000	.75, 90
No. 7 manilla, per package	5
Official—	
No. 9 white, 4 x 9, open at side, per 1,000	2 50
Per package	10
No. 9 white, 4 x 9, open at end, per 1,000	2 75
Per package	10
No. 9 manilla, 4 x 9, open at side, per 1,000	1 75
Per package	8
No. 14 white, 11½ x 5, open at side, per 1,000	3 50
Per package	15
No. 14 white, 11½ x 5, open at end, per 1,000	3 75
Per package	15
No. 14 manilla, 11½ x 5, open at side, per 1,000	3 00
Per package	12
No. 14 cartridge, 11½ x 5, open at end, per 1,000	6 00
Per package	20
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Per dozen	40
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425 pages	" " 5 35
475 pages	" " 5 90
500 pages	" " 6 75
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300 pages	\$1.50 per quire 4 50
400 pages	" " 6 00
Name of municipality lettered in gold on back of each book ordered.	
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Councillor's memorandum books, 6 x 4 inches, American leather	30
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Per dozen	5
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Per dozen	12
Esterbrook's falcon 048, per box	75
Per dozen	10
Waverly, per box	20
Per dozen	15
Pickwick, per box	20
Per dozen	15
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Medium swell black wood, per dozen	40
Straight, per dozen	30 and 40
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Per dozen	10
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Merchants' No. 2 rubber tip, per dozen	40
Leader No. 2 rubber tip, per dozen	25
Faber's H.B., H.H., H.H.H., B.B., B.B.B., per dozen	50
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Faber's assorted No. 300, per box	75
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Pint	50
Half pint	25
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# THE MUNICIPAL WORLD

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

Vol. 5. No. 12.

ST. THOMAS, ONTARIO, DECEMBER, 1895.

Whole No. 60

## CONTENTS.

	PAGE
Editorial Notes .....	226
Nominations .....	227
Huron House of Refuge .....	227
Collectors' Rolls, School Rates, etc. ....	228
Animals at Large .....	228
Broad Tires .....	229
Water Supply .....	230
Fire Fighting .....	230
Municipal Fire Insurance .....	231
Sewerage .....	232
Drainage .....	232
What Destroys our Streets .....	233
Question Drawer .....	234
Snow on Roads .....	235
Frontage Assessments .....	235
Abolish the Ward System .....	236
Municipal Elections .....	236
An Example for Public Officials .....	236
Longer Term .....	236
Special Notice .....	236

### ADVERTISEMENTS.

G. A. Stimson, Toronto, Municipal Debentures wanted .....	221
Gutta Percha & Rubber M'fg Co., Toronto, Hose and Fire Department Supplies ..	221
Hamilton and Toronto Sewer Pipe Co., Hamilton, Sewer, Culvert, and Water Pipe.	222
F. C. Austin M'fg Co., Chicago, Ill.—Road making Machinery .....	222
Munn & Co., New York—Patents .....	223
W. Newman, C. E., Windsor .....	223
Robinson, Lennox & McLeod, Barristers, Toronto .....	223
Ontario Sewer Pipe Co., Toronto—Sewer and Culvert Pipe .....	223
B. Baer & Co., Doon, Ont., Highway Bridges—Iron and Wood. ....	223
A. W. Campbell, C. E., St. Thomas .....	223
The Ensign, St. Thomas .....	224
Books and Stationery .....	224
Blank Forms .....	237
Ebenezer North London and St. Thomas, Concrete Culvert, Tile and Drainage Pipe.	239
Dominion Bridge Co., Montreal, Highway Bridges—Iron and Steel .....	240
Hamilton and Toronto Sewer Pipe Co. ....	240

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Municipal Election Blanks.  
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## Calendar for December, 1895

### Legal, Educational, Municipal and Other Appointments.

#### DECEMBER.

1. Chairman of Board of Health to report to the Council on or before this date.—Public Health Act, schedule A, section 3.  
 Last day for appointment of School Auditors by Public and Separate School Trustees.—Public School Act, section 37 (1); Separate School Act, section 28 (5).  
 Municipal Clerk to transmit to County Inspector statement showing whether or not any county rate for Public School purposes has been placed upon Collector's Roll against any Separate School supporter. Public School Act, section 113; Separate School Act, section 50.  
 Last day for Councils to hear and determine appeals where persons added to Collector's Roll by Clerk of Municipality.—Assessment Act, section 154.
10. Last day for Public and Separate School Trustees to fix places for nomination of Trustees.—Public School Act, section 102 (2); Separate School Act, section 31 (5).  
 Returning Officers to be named by resolution of the Public School Board (before second Wednesday in December).—Public School Act, section 102 (2).
14. Last day for payment of taxes by Voters in local municipalities passing by-laws for that purpose.—Municipal Act, section 489.  
 Last day for Collectors to return their rolls and pay over proceeds, unless later time appointed by Council.—Assessment Act, section 132.  
 County Treasurer to pay Township Treasurer rates collected in Township.—Public School Act, section 122 (3).  
 Local Assessment to be paid Separate School Trustees.—Separate School Act, section 55.  
 Municipal Council to pay Secretary-Treasurer Public School Boards all sums levied and collected in Township.—Public School Act, section 118.  
 County Councils to pay Treasurer High School.—High School Act, section 30.
16. Councils of Towns, Villages and Townships hold meeting.—Municipal Act, section 254.  
 Pass all accounts for subscriptions, etc., due THE MUNICIPAL WORLD, and order election supplies, etc.
20. Last day for a Treasurer to send Clerk list of all who have not paid their taxes.—Municipal Act, section 251.  
 Last day for notice of formation of new school sections to be posted up by the Township Clerk.—P. S. Act, section 29.  
 High Schools close, first term.—H. S. Act, section 42.  
 Public and Separate Schools close.—P. S. Act, section 173 (1); S. S. Act, section 79 (1).
23. Last day for publishing notice of nomination.
24. Last day for posting up Annual Statement of assets and liabilities in Townships, Towns and Villages.—Municipal Act, section 263.  
 High School Treasurer to receive all moneys due and raised under High Schools Act.—High School Act, section 36 (1).
25. CHRISTMAS DAY (Wednesday).  
 New schools go into operation.—P. S. Act, section 81 (3); section 82 (3); section 87 (10); S. S. Act, section 4  
 Alternation of school boundary in unorganized townships takes effect.—P. S. Act, section 41 (2).
26. Annual Public and Separate School meeting.—P. S. Act, section 17; section 102 (1); S. S. Act, section 27 (1); section 31 (1).  
 Last day for submitting by-law for establishing Township Boards.—P. S. Act, section 54.
30. Nomination day.
31. Auditors to examine and report upon accounts, etc., for year ending on the 30th December, preceding their appointment.—Municipal Act, section 261.  
 Roll to be finally revised by Judge when assessment taken between 1st July and 31st September.—Assessment Act, section 52.  
 Road Commissioners cease to hold office.—Assessment Act, section 111.  
 License Commissioners cease to hold office.—Liquor License Act, section 3.  
 Protestant Separate School Trustees to transmit to County Inspector names and attendance during the last preceding six months.—S. S. Act, section 12.  
 Rural Trustees to report average attendance of pupils to Inspector.—P. S. Act, section 206.  
 Semi-annual reports of Public School Trustees to Inspector, due.—P. S. Act, section 40 (13).  
 Semi-annual reports of High Schools to Department, due.—H. S. Act, section 14 (12).  
 Semi-annual reports of Separate Schools to Department, due.—S. S. Act, section 28 (18); section 62  
 Trustees' report to Truant Officers, due.—Truancy Act, section 12.  
 Auditors' report of Cities, Towns and Incorporated Villages to be published by Trustees.—P. S. Act, section 107 (12).

#### JANUARY.

1. A Happy New Year to all.
7. Renew subscription to MUNICIPAL WORLD for 1896.

# 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.

H. F. JELL, Solicitor.

J. M. GLENN, LL.B.

Associate  
Editors

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THE MUNICIPAL WORLD,

Box 1252, St. Thomas, Ont.

ST. THOMAS, DECEMBER 1, 1895.

If the personnel of the council elected for 1896 is not satisfactory the fault lies with the electors, for it appears that the only interest the majority of taxpayers take in municipal affairs is in paying their taxes and in voting for councillors. The taxes become due, and there is a certain amount of grumbling, they are paid and all feel relieved, and do not see the necessity of considering either the taxes or the council for a year at least.

\* \* \*

With the present issue we bid adieu to a large number of our subscribers, and hope that we will have the pleasure of welcoming back all those who may offer themselves for re-election in their respective municipalities. A year's experience in the council is sufficient to enable the electors to ascertain a man's capacity to manage their affairs. If not found wanting he should be re-elected.

As a general rule electors are never satisfied, and do a good deal of experimenting in their endeavor to secure a perfect council. If the affairs of the municipality are in a bad condition, one consideration in the nomination of new candidates, or the retaining of experienced councillors is, are they sufficiently liberal in principle to grasp an idea, embodying the reform of present conditions; have they a proper conception of what is expected of a representative of an electorate having diverse ideas; are they able to decide what will be the greatest good to the greatest number in numerous matters to be brought before them. Another, and the most important inquiry in our opinion is "are they capable of separating entirely the political idea from the business management of the municipality?"

The road question is one to which we have devoted considerable attention during the past year. The feeling in favor of better roads is growing gradually in all parts of the province. Statute labor is now better performed; commissioners pay more attention to road expenditure, and from the large amount of information published both by the provincial press and the Good Roads associations, electors are in a position to judge of the manner in which their money has been expended. We do not predict any general change in the statute labor system at present, although a discussion of its benefits is at all times desirable. We are of opinion that very few years will elapse before the county road system will be in operation throughout Ontario. As pointed out in last issue this system is already in force in a number of counties and to the greatest extent in the county of Hastings. A committee of the county council of Peterborough recently investigated these roads and the system of maintenance, and will report to their council in favor of the adoption of a similar system for that county.

\* \* \*

The basis of assuming county road in Hastings is that of equalized value, care always being taken in assuming a road that it connects with the system in the adjoining municipality. The maintenance of the roads afterwards to be levied as a general rate to apply on any part of the system as found to be required. County roads maintained by paid labor would then come into immediate comparison with those maintained by the statute labor system, and if it is thought advisable to extend the county road system it can be easily done; all municipalities in the county would benefit alike. They would contribute their proportion of the expense, the principal benefit being that the roads would be under the constant supervision of the county commissioner or engineer who would bring to bear his experience in securing uniformity of road construction and efficient maintenance throughout.

\* \* \*

The question of wide tires is one that may be very properly considered by township councils, and we would especially direct our readers who may be interested in the road question to read what the engineering editor has to say in this issue in reference to broad tires.

\* \* \*

One rock on which many candidates founder is so-called public opinion or "they say." Every attention is paid to what a few particular admirers or corner loafers say, they believe this to be public opinion. Many councillors after election are thus guided, but are sure to be found wanting at the end of the year. In the enthusiasm of a contest, the candidate should not forget this, but endeavor to make his own ideas dominant, and thereby satisfy the people, that they are elect-

ing a man with the capacity to transact their affairs.

\* \* \*

An exchange says in reference to prospective candidates "What earthly use is a man with ideas as narrow that they would get lost in the floor crack? There are many men desirous of public recognition whose ideas and actions were old at the time of the flood. An honest incapable man should not be nominated. What is required are progressive painstaking business men who will manage the affairs of the municipalities with the same care that they would exercise on a board of directors for a business corporation. To carry the idea still further the stewardship of municipal office should be as sacredly held as the trusteeship of an estate.

\* \* \*

A local judge at Smith's Falls has given the corporation of that town a hint which it has acted upon and which is likely to prove valuable. He advised the city authorities to forestall all actions for damages from defective sidewalks by having a standing advertisement in the local papers requesting all persons finding broken planks to promptly report the fact to the street inspector. This plan might be worthy of consideration in many municipalities.

\* \* \*

The town of Orillia is talking about doing its own insurance business. The New's Letter says:—"It is just possible that the town will throw up all its fire insurance policies and undertake to do its own insuring. At a special meeting of the council held recently Messrs. Gilpin, Miller, Doolittle and Venner were appointed a committee to look up the risks carried by the town, and all matters concerning them with a view of formulating a scheme whereby the town may safely do its own underwriting, and report at a special meeting. The cause of all this is the excessively high rates of the insurance companies," etc. Toronto and other places are moving in the same direction.

\* \* \*

A case of considerable interest to bicycleriders was disposed of at the Division Court Aurora recently, by his Honor Judge Moigan. Mrs. Mary Ann Smith of Wellington street brought a suit against Mr. D.A. Phillips of Catherine Avenue for \$50 damages for injuries sustained by being run into, she alleged, by Mr. Phillips with a bicycle on the sidewalk. The defendant claimed that he was not riding the bicycle at the time of the accident, but was wheeling it on the sidewalk and that Mrs. Smith ran into the bicycle. His Honor, who gave a verdict in favor of the plaintiff for \$30 and costs, ruled that riding or even wheeling a bicycle on the sidewalk was illegal, and the party so doing was liable to a fine and costs. No doubt the above will prove a warning to those who are in the habit of riding on the sidewalk.—*Era*.

## Nominations.

Some months ago a question was raised as to the proper procedure at nomination meetings, special reference being made to section 116, which reads:

"At the said meetings the person or persons to fill each office shall be proposed and seconded seriatim, and if only one candidate for any particular office is proposed, the clerk or other returning-officer or chairman shall, after the lapse of one hour from the time fixed for holding the meeting, declare such candidate duly elected for such office. But if two or more candidates are proposed for any particular office, and if a poll is required by them respectively, or by any elector, the clerk or other returning-officer or chairman shall adjourn the proceedings for filling such office until the first Monday in January next thereafter, when a poll or polls shall be opened in each ward or polling sub-division, at such place or places respectively as may be fixed by the by-law of the said councils for the election, at nine of the clock in the morning, and shall continue open until five of the clock in the afternoon, and no longer."

The point in question is, if a poll is not demanded, how is the election to be decided—by open vote or by ballot?

The ballot was first applied to municipal elections in 1874, but as yet there have been no important decisions respecting it. A great characteristic of vote by ballot is secrecy, its design being to secure the largest possible freedom of election.

In the last edition of Harrison's Manual a note to section 116 of the Municipal Act reads: "Where a poll is demanded, the election commences with it as being a regular mode of popular election. In the nature of things the demand for a poll never is made, nor can it reasonably be expected to be made until necessity for such demand arises, *i. e.*, until one of the contending parties is dissatisfied with the decision of the chairman upon the show of hands." From the above it would seem to be the clerk's duty to receive the nominations, and if more than one candidate is proposed for a particular office to submit names of those nominated to the meeting immediately after the expiration of the hour set apart for nomination, and to explain that there being more than one candidate proposed for the office to be filled that it will be necessary to decide by vote which is to be declared elected. The question is, what should the clerk do? take a show of hands of the meeting, or ask some one to demand a poll? or should he adjourn the proceedings for filling such office until the first Monday in January?

As has already been stated there have been no decisions in reference to the meaning of this section, and from that we would conclude that the practice usually followed is satisfactory and in accordance with the intention of the act. A clerk would not be justified in taking a show of hands at the meeting, as he has no means of distinguishing the electors from others who may be present.

Again, if he requires an elector to demand a poll, and is refused, and no poll is demanded, would he be justified in adjourning the proceedings. We are of opinion that it is not necessary to constitute an election that a poll should be demanded, and that section 116 may be read as if the

words "and if a poll is required by them respectively, or by any elector," were excluded, and that an election by ballot should be held whether a poll is demanded or not, that it is the intention to have the election by ballot is shown by section 103 of the Public Schools Act, which provides that the board of public school trustees on proper notice given to the clerk of the municipality may require the election of school trustees to be held by ballot, the election to be conducted by the same returning officer and in the same manner as the municipal nominations and elections for aldermen and councillors are conducted.

## Huron House of Refuge.

In the fine building which has been erected for this purpose by the County of Huron, on the London road, half a mile south of Clinton, says the *New Era*, every detail which humanity could suggest, consistent with proper economy, for the care and comfort of those who are brought as inmates, has been attended to, and health, as well as every other requisite, will be attended to in the house on the hill. The fine breezy situation commanding such extensive views of the county, form a fine site for a building, whose only ornamentation can be the arrangement of its parts to gain an architectural effect and give somewhat of the monumental character which should show the public building.

Owing to the restrictions imposed on the designers by the official regulations, the height was limited to two stories, and greater height was obtained for the elevation by keeping the basement as much as possible above the ground.

The total length of the building is one hundred and twenty feet by a depth of forty-three feet; behind this extends a wing thirty-six by thirty-nine the same height as the main building, and a one story addition as coal shed, etc., in rear. Corridors run the full length of the building—north and south—on each floor.

The basement is nearly all covered with cement concrete, even those portions which have wooden floors have concrete grouted under them. This flat is occupied by the boiler and room in connection therewith, laundry and storeroom for nearly everything which can be kept under the house roof. The ends of the buildings are occupied by washrooms and lavatories; the front at each end being large, cheerful and light winter work-rooms.

Throughout the whole of the floors the full and complete separation of the sexes has been carefully provided for; each corridor having a screen and doors which are kept locked and under the control of the manager, who occupies the centre portion of the building on each floor.

The ground-floor has the main entrance, vestibule, central hall and corridors, with a solid, substantial and easy-to-climb stairway up to the first floor, all of hardwood, and this and the upper floor are laid in maple flooring, the narrowest being used

in the kitchen. The room for the committee and general purpose is on the north side of the entrance, here also the doctor sees his patients, and so his dispensary is located in connection with his room. On the south side of the entrance is the sitting room, for the manager and his wife, and connected by sliding doors is their dining-room, the two rooms forming one nice apartment. The remainder of the front at each end is occupied by the large day or sitting-room for men and women respectively; these are as sunny and bright as can be arranged. In the rear are the spacious dining-rooms with adjoining rooms devoted to the occasional use of the very infirm; these communicate with the dining-room by means of large folding-doors, so that should there be need of a large apartment for Sunday services, concerts, etc., a large room can be soon formed. There are also small private rooms on this floor for aged couples or paying inmates. At either end are also other stairways from the basement of the first floor. The manager has his private bedroom in the centre, and has control of the stairway to the attic, in which is the steel water-tank, from which the supply is drawn for the purposes of the house, and which in its turn is supplied from the well by the pumping of the windmill.

The design provides for the accommodation of seventy-two inmates with very ample space, so that, should the occasion arise, the number might be increased to nearly one hundred, the only limit being the sleeping facilities as at present built; the kitchen, dining-rooms, etc., providing for a larger number than will now occupy them. Future extensions will form wings to north and south of the main building, and be devoted to dormitories and private inmate's rooms.

Plumbing of good quality has been introduced into the building, and baths and closets are on each floor where needed. The building will be heated by low pressure steam. It is intended to light the building by electricity.

In additions to the accommodations of the house itself, the building affords a small hospital, with a men's ward, women's ward and lying-in ward. The hospital can be entirely isolated from other parts of building.

The architects were Fowler & Fowler, the contractors Samuel S. Cooper, and the contract price \$9,874, the extras being said to be not of an extensive nature. The building, as now finished, is a plain, serviceable and substantial pile, built for use and for public purposes. It will remain a monument to those who had the construction of it, and whose names are destined to be handed down to posterity by a handsome marble tablet, erected in a suitable place at the entrance to the building.

Teacher—"Tommy, how is the world divided?" Tommy—"Paw says it is divided between the corporations and the politicians."

## CORRESPONDENCE.

This paper is not responsible for opinions expressed by correspondents.

All communications must be accompanied by the name of the writer, not necessarily for publication, but so that the publishers will know from whom they are received.

## Collectors' Rolls, School Rates, Etc.

To the Editor of THE MUNICIPAL WORLD:

In THE WORLD for November I find a report of a meeting of the Municipal Clerks' Association of Oxford. Until then I was not aware that it existed. It would be well if there was such an association in every county in Ontario; then municipal clerks would have some influence, enough perhaps, to procure many needed reforms in municipal law.

Mr. McFarlane's paper was interesting as well as instructive. His method of making up his collector's roll is a good deal like the plan I have followed for many years, indeed, ever since township councils were required to collect trustees' rates. At that time, seeing the inconvenience of using the collector's roll sheets then in use, both on account of their great size and the trouble of keeping them untorn, I made a pattern sheet suitable for collecting taxes by school sections, and had the book made.

Mr. McFarlane describes his method. He prepares what he calls his school section book, picking out from the assessment roll the names and amount of assessment of all ratepayers in each section; he then sends a statement of the assessed value of the whole section to the trustees of each. After the by-law levying the several rates is passed he proceeds to make up his collector's roll. His method of doing this he describes minutely: After all other rates are entered, he transfers the school rates from his school section book, and he warns us that in doing this he has to be most careful as there is no way of testing the correctness of the entries till the whole school column is filled in through the whole roll and added up. Here is Mr. McFarlane's weak point. Suppose an error is made only in one sum, and the whole school rate column does not agree with the total of his school section book, see what a tedious and troublesome job he has to find the error. I take what seems to me a much more simple and easy plan. As soon as the court of revision is over I begin making up my roll, by school sections, picking out the names from the assessment roll direct, thereby saving the trouble of making a separate school section book. I then proceed nearly as described by Mr. McFarlane, to enter the various rates as well as the school rates opposite the several names, having previously headed the page thus: "School Section, No.—, Township of —," then on from page to page till that section is finished, proving the footing of each page as described by Mr. McFarlane, and carrying them forward to the last page of the section, where all the various columns must agree with and make

the amount of the column headed total taxes, in this way school rate columns are proved like others. I do not send trustees a statement of the assessment of the several sections, as they are not the persons to strike a rate; their duty is simply to report to the council (through its clerk) the amount they require to be collected. I always send them blank printed requisitions, which they return to me with the amounts required. I then calculate what the rate will be in each section, and the council passes a by-law for collecting same. After the roll is finished I enter an abstract of it in my cash book for convenience of reference. On a page in the beginning of the roll I enter the footings of all the several school sections which can be proved in the same way as each page; the total of this is the total of the roll. In this way I cannot see how an error can be undetected. Mr. McFarlane met some dogs, or rather, they met him, and finding they were not assessed he put them on his collector's roll. I would like to know his authority for so doing, as I would like to do likewise. His council imposes on him the job of filling up all tax bills. I hope they pay him well for it, as it is no part of a clerk's business to fill them out, it is the collector's business. Mr. McFarlane does not say if his council has passed a by-law making a notice of the amount of taxes due, at the residence of a ratepayer, a legal demand.

Referring to question, No. 1, respecting union school sections, I cannot quite agree with the answer. I hold that the trustees should send to each council, through its clerk, a requisition for the total amount required and leave it to the clerks to calculate the rate necessary in each portion of the section, especially as assessors now fix the proportion or percentage for which each is liable.

Union sections, in union with a village, do not participate in the grant under section 109, School Act. Now, where the money to meet this grant is levied under the general head—township rate—and not in a separate column distinctly mentioned in the by-law, ratepayers living in the township part of such union section suffer a manifest injustice, and, I believe, that in some townships this distinction is not made.

I would like to have been present at the Woodstock meeting. I hope we may in this county get up a similar association, I have for years endeavored to interest my brother clerks in the matter but so far have failed.

I am, sir, yours truly

A CLERK OF 25 YEARS' STANDING.

## A Splendid Guide.

The October number of THE MUNICIPAL WORLD is to hand. It is full of legal information and would save many dollars in law costs if studied. It is a splendid guide for members of municipal councils.—*Collingwood Bulletin*.

## Animals at Large.

The responsibility of owners of animals running at large on highways in respect of damage done by them is not generally known. Chapter 215, section 2, R. S. O., distinctly states that the owner or occupant of any land shall be responsible for any damage or damages done by any animal or animals under his charge and keeping, as though such animal or animals were his own property, and the owner of any animal not permitted to run at large by the by-laws of the municipality shall be liable for any damage done by such animal. Of course, all municipalities have herd laws, whether they are cities, towns, incorporated villages or townships, and cattle, sheep, pigs and horses are strictly forbidden to run at large. And to check this trespassing on the public highway of all live stock it is enacted that every municipality shall establish a pound, wherein all animals may be shut up and detained for unlawfully running at large. The revised statutes of Ontario, bearing on the point, have mainly reference to the actual, or active damage done by live stock running at large, such as the destruction of crops and the general damage they might cause property at large. But there is another sense, a passive sense, in which the owners of animals are responsible for any damage done by their cattle being on the public highways.

An action was brought lately by a Goderich farmer, who sued the township to recover damages on account of his having been thrown from his buggy through a collision with a cow on the highway within the township. The plaintiff was nonsuited, the judge holding that the municipality was not liable, but that the owner of the cow was. In giving this decision Chief Justice Armour referred to the accident in Northumberland county, where a freight train was derailed and three men killed, owing to a cow getting on the track, and said that the owner of the animal could be held answerable to the estates of the three men.

The common opinion held by most farmers is that if their cattle are killed by a railway train they can make the company pay. But according to section 2, chap. 215, R. S. O., and the judgment of Chief Justice Armour on this point, the boot is on the other leg, and in case any damage is done to a railway train, or to a trolley car, or to an individual, the owner of the animal is responsible, and his estate becomes answerable for the damage. Aside from the general herd law about cattle running at large, chap. 107, sec. 103, R. S. O., distinctly states that no horses, sheep, swine or other cattle shall be permitted to be at large upon any highway within half a mile of the intersection of such highway with railway or grade, unless the cattle are in charge of some person or persons to prevent their loitering or stopping on such highway at such intersection.—*Farmers' Sun*.



## ENGINEERING DEPARTMENT.

A. W. CAMPBELL,

O.L.S., C.E., A.M.C.S., C.E.

EDITOR

## Broad Tires.

The good roads movement which has during the last few years, attracted the attention of those interested in public highways, has brought before us many hitherto almost unnoticed phases of the question. Among these the matter of broad tires is not least in importance either in its benefits to the farmer directly, or its beneficial effects on the roads.

That broad tires are a profitable investment for those engaged in hauling heavy loads over ordinary country roads has been demonstrated beyond all reasonable doubt and under varying conditions the loads when broad tires are used, can be made without additional draft, from one-quarter to one half greater.

Here the benefits to the teamster begin to unite with the good effects on the roads. Statistics show that where broad tires are universally employed for heavy loads, the taxes necessary for the maintenance of the roads are decreased to nearly one-quarter of that otherwise required. In place of the deep ruts formed by narrow tires cutting into the surface, a wide tire acts as a roller and tends to make the road better continually. The benefits of rolling are not yet sufficiently appreciated by our roadmakers. Whenever the road material is not so compact that a wheel passing over it will cause a displacement, a rut is formed and the road is injured. Rolling consolidates the road material and produces a hard smooth surface that will shed water and resist the weight of a load upon it. If rolling is omitted, ruts are at once formed in the soft road material where water collects with destructive results. Rollers ordinarily used weigh about five tons and it will be seen that with this weight spread over a surface five feet in width, it is impossible to render the roadway so solid that a wagon carrying two tons, and having two and a half inch tires will not cut into the road metal. Even in dry weather, the vibration of so narrow a tire, especially when going at a high rate of speed, will grind the metal into dust, which being blown off the road leaves a groove where water will stand and in this way ruts are quickly formed. By using tires four inches wide, a load of ordinary weight is spread over a surface of sixteen inches, which approximates so closely to the weight as to practically form the work of a roller.

A load on narrow tires tends to fracture or burst the surface of the road, while the same load on broad tires compresses the road material. A wagon with wide tires following one with narrow tires, tends to repair the injury done by the latter. In France market wagon tires are from three to ten inches in width and the rear axle is the longer so that the hind wheels run on

a line outside the fore wheels, thus acting as a roadmaker, not a road-destroyer.

Most of European countries have laws regulating the width of tires. The State of New Jersey has a law providing for their compulsory adoption. The Pennsylvania Legislature under the Harvey Bill awards a rebate of one-fourth the assessed highway tax to those who own and use draft wagons having tires not less than four inches in width. In Michigan a teamster using broad tires has a rebate of one-half of his road tax. In the Connecticut legislature a committee on roads has reported in favor of compelling the adoption of tires not less than four inches wide, and that, after July 1899, all draft vehicles shall be so equipped under a penalty of not less than \$5 nor more than \$20 for violation of the law. New York turnpike laws enact that carriages having wheels of which the tire is six inches wide shall be charged only one-half the usual terms; those with wheels nine inches wide, only one quarter; and those with wheels twelve inches wide, none at all. Many more similar instances might be cited but these will serve to show the importance attached to the use of broad tires by those who have thoroughly investigated their use.

In purchasing a new wagon the difference in cost is slight as the tire can be made thinner, while the strength in the wider rims makes a stronger wheel; to replace narrow tires with broad, on wagons already in use, costs about \$15. There is one valid objection to the use of broad tires, and that is, that wagons fitted with them, run harder over roads which are much cut up by narrow tires. It can only be a matter of time, however, until the people of Ontario will adopt some such measures as those in force in New Jersey, Pennsylvania and elsewhere, to encourage and ultimately compel their adoption. And such a law will doubtless be cheerfully obeyed by the farmers of the province, for they are invariably law-abiding citizens, like the rest of us, when it is money in their pockets to be such.

It is impossible to have every small hamlet and village connected with the main railroad lines by short branches, but the transportation problem cannot be said to be solved until every small place and farm of any size is connected with the great arteries of commerce by means of fine macadamized roads. It is necessary for building more and better common roads that makes the question such a burning one to-day. The next generation must devote itself to the construction and improvement of common roads, feeding the railroads with the products of the great agricultural regions.

It is reasonable to predict that road improvement is destined to spread with great rapidity in the next ten years, and that capital which heretofore built railroads will now seek investment in the fine macadamized roads.

## Water Supply.

Waste of water is considered of small importance by the general public; for water in most towns in this country is supplied in abundance, and at cheap rates. The fact that water can be collected, stored, filtered, pumped and distributed at a sufficient pressure to force it to the top of an ordinary building, at about 008 cts. per gallon to the consumer, leads thoughtless people to imagine that so cheap an article may be wasted with impunity. The indifference and carelessness of consumers cause excessive waste of water, and make it necessary for engineers, when laying out waterworks, to allow an ample margin beyond the actual requirements as compensation for waste. This involves a large additional capital expenditure, and after the completion of the works renders necessary a continual outlay on an expensive staff of inspectors, and the provision of waste saving appliances with the consequent annoyance to householders, of having frequently to admit inspectors in search of "waste". The partial suppression or waste of water is possible, but its abolition belongs to the distant future. Waste of water comprises: (1) Visible waste above ground, caused by defective pipes, or by unsound and unsuitable house fittings. (2) Hidden waste arriving from broken pipes, underground or from faulty mains, and services where the water escapes unperceived, and finds its way into sewers or disused drains; also that arising from secret overflows from baths, cisterns, underground tanks, gas engine coolers, etc. (3) Wilful waste, caused by leaving taps open and tampering with fittings. (4) Undue consumption of water, which although used wastefully is serving some useful purpose. The first two kinds of waste can be dealt with by a systematic inspection constant supervision and the employment of suitable appliances. Wilful waste is difficult to discover, whilst it is still more difficult to find the offender, and it is most difficult to obtain a conviction of the offender when found. Undue consumption is difficult to define, and what some may hold to be unnecessary, others may consider a legitimate use of water. The meter system has given perfect satisfaction to all consumers where it has been applied. The general feeling is that they are only compelled to pay for what water they use, and the only way that this can be had is by a correct system of meters, and we would recommend the adoption of a more general use of them and particularly in all places where large quantities of water are being used or are likely to be used, and also the adoption of a regular schedule of meter rates to be charged, and we are satisfied that by the adoption of such a system, it would soon prove its economy and reduce the large quantity of water which is continually running to waste to a minimum.

**Fire Fighting.**

The efficiency of a fire department depends largely on its system of fire alarms. Citizens of even small towns have no right to expect their firemen, however prompt and brave they may be, to save a burning property which is perhaps already half consumed before an alarm is given, or even before the alarm has located the fire. The alarm, being given and the fire located, the members of the force should be governed (according to a United States fire manual) by the following rules or procedure:

1. On receiving the alarm, every effort should be used to get the apparatus, in the quickest possible time, to the water supply nearest the fire (if truck or chemical engine directly to the fire).

2. The foreman shall proceed directly to the fire, and report to the chief for orders.

3. When stretching hose, leave at least twenty feet slack at the engine or hydrant, so that there may be no trouble in coupling.

4. As the hose runs off the reel, it should be placed on one side of the street, so that it may not be injured by wagons or other fire apparatus.

5. While the hose is being laid, the pipeman will take charge of the pipe, and be ready to put it on the hose; after the fire he will take care of it and see that it is properly secured to the carriage or reel.

6. As soon as sufficient hose is laid, the apparatus should be removed to the other side of the street from the fire, and at least one hundred feet distant. This rule applies also to the hook and ladder truck.

7. In a hose company, from ten to fifteen men should be near the pipemen to render them any aid necessary in changing position; and the rest of the company, when not needed elsewhere, should form a reserve squad, standing along the line of the hose and near their apparatus, ready at all times to change positions with any of the men, or to execute any of the orders that may be given by the officers.

8. The foreman's position should be with the pipemen; the first assistant should remain in charge of the reserve squad; and the second assistant should have the care of the line of hose.

9. It should be the duty of the men along the line to see that no waggon or heavy articles are driven or dragged across the hose, and that spectators do not stand upon or damage it. They should report at once the bursting of a length to the officer in charge, see that the coupling are properly fastened, have always a supply of spanners, pass orders to and from the steamer or hydrant. They should not leave their positions without orders from one of the officers. As soon as a man executes an order which calls him from his position he must return to it without delay.

10. At the order, "Take up," the men along the line should disconnect the hose at every one hundred feet, or at every coupling when the weather is cold, and drain the water from it.

11. At all times, and under all circumstances, all unnecessary noise should be avoided. Shouting is not only useless, but causes confusion and misunderstanding, and shows lack of discipline.

12. Prompt quiet obedience must be given to all orders from officers, and no disputes be allowed while firemen are on duty; but if a member considers himself aggrieved, he may present his case at the next regular meeting, where it will be examined and a decision rendered.

13. All reckless destruction of, or damage to property should be carefully avoided.

*Fire, Light and Water.***Municipal Fire Insurance**

The Municipal Bureau of Fire Insurance of the city of Toronto has recently published a pamphlet containing a paper on "Fire Insurance of the State" read before the Business Mens' Association of Newport, Rhode Island, by Chas. A. Ives. The reports of the business of both Mutual and Stock Fire Insurance Companies in that state show that the premiums paid in 1893 exceeded the losses by \$2,500,000, or more than twice the total expenditures of the state government.

In reducing the question to practical form, Mr. Ives gives the following outline of a law suited to Rhode Island conditions, which can readily be applied to this province:

Sec. 1. The tax collector of each town shall in addition to the taxes assessed and levied for the use of the town, assesses and levy a tax to be known as a fire-tax upon all buildings in such town; for which purpose the assessed valuation of each building for the purpose of the assessment of the town tax shall be used. And in addition thereto the assessors shall assess a tax upon the personal property in buildings according to a sworn statement of the value of such personal property to be made by the owners thereof, which value shall be added to the rateable personal estate of such persons taxable in such town; provided, however, that such return of personal property for the purpose of said fire-tax may be made at any time after the annual assessment shall have been made, if there be made at the same time a payment to the use of the general treasurer of the state of the amount of the tax for the proportional part of the year due on said property.

Sec. 2. The collector of taxes of each town shall collect in addition to the taxes collectable for the use of the town the amounts taxed as fire-taxes as aforesaid, from the persons from whom the same are payable, but the same shall be transmitted by said collector to the general treasurer of the state to be by him held in a separate fund to be known as the fire-fund.

Sec. 3. The said fire-tax shall be a lien upon the property upon which it is assessed and may be collected by process of law, in the same manner as other taxes.

Sec. 4. The losses payable by the general treasurer, as hereinafter provided, may be made payable by contract made at any time to any person holding any interest, present or contingent, in the property taxed; but no loss upon any property shall be paid, the tax upon which shall not at the time of such loss have been fully paid.

Sec. 5. Upon any loss occurring by fire in any town, the tax assessors in such town shall repair to the place of the loss and view the premises and shall notify the persons interested by a notice posted on the premises where the same occurred, of the time and place, when and where, they will hear all evidence that may be presented as to the amount of such loss, which hearing may be adjourned from time to time in their discretion.

Sec. 6. The assessors, or a majority of them, shall transmit to the general treasurer a report of their doings in the premises, and of the evidence heard by them, and of their finding, as to the amount of loss incurred, and to whom the said is payable; and thereupon the general treasurer unless he shall deem the amount awarded excessive, shall pay the same to the person or persons entitled thereto, at the expiration of ten days from his receipt of such report.

Sec. 7. In case any person, who shall suffer loss by fire, shall be dissatisfied with the amount awarded as aforesaid, he may refuse in writing, within five days of the filing of the report aforesaid with the general treasurer, to accept said reward. And if the general treasurer deem any award to be excessive as aforesaid, he shall make endorsement thereof on said report, and return the same to the assessors from whom it came. And in either of the foregoing cases, the party or parties suffering the loss may bring an action of the case in the name of all of them against the general treasurer for the recovery of their said loss, in which action the judgement shall be a lien, and be levied only upon the fire-fund in the hands of the general treasurer. Provided, however that if in such action the party suffering the loss and refusing to accept the award, recover no more than the amount thereof, he shall not recover interest or costs in such action.

The foregoing is not offered as anything more than a tentative draft of a law, the active principle of which, however, seems simple and practicable. The only serious item which it would add to the pay roll of the state or towns would be the greater remuneration which would have to be given the assessors and the expenses of their hearings. In practice these might not be more than the cost of adjusting losses under the existing system, and it is likely that the whole cost to the state would be within the sum now placed in the dividend column of the companies.

Sewerage.

As cities are shown by statistics to be rapidly absorbing the population, many serious problems—social, political and sanitary—are forced on the attention and require solution by the best minds and skilled experts. By sanitary problems are meant those pertaining to water-supply, sewerage, paving, lighting and heating, and all works of construction incident and necessary to the material comfort, safety and health of the inhabitants. While those problems may be more difficult to solve in case of large cities, the method is similar, and nearly the same skill is required in smaller ones, for a failure in either case produces similar results. Hamburg, with a population of over 500,000, was scourged with cholera, and threatened Europe and America with its contagion. A failure to recognize the impurity of the River Elbe, used for its water supply, without filtration, was the cause. The city has now constructed an immense filtering plant, costing over half a million dollars, which, however, is a small price for the unnecessary sacrifice of so many lives.

In this country, and in a smaller city, we have a similar illustration. The fearful epidemic which scourged Memphis nearly twenty years ago has not been forgotten. Its complete restoration, due to the construction of a sanitary sewerage system, was not the only good result, but it was an object lesson to the entire country, the necessity of sewers in cities. It becomes a financial question with most cities as to their ability to carry out necessary improvements. However, if the best technical advice is obtained, the work can be done at a cost not burdensome, and thereby possibly prevent great loss of life and property, which is too often the only warning that can awake many cities to protecting themselves. The first improvement needed is a pure and sufficient water supply for the health of the inhabitants, and the safety of their property depends on it. A growing town or small city cannot long dispense with sanitary sewers, as the disposal of waste properly require it. To the lack of popular knowledge of the sanitary necessity, convenience and economy of sewers is attributable most of the opposition to their construction. It is proposed, in the following remarks, to speak only in a general way on some features, methods and criticisms concerning sewer construction.

The designing of a system of sewerage is often complicated, and requires special treatment in each case. The objection to using streams and rivers for disposal is in many places fatal, and methods of purifying sewerage are required. Chemical, broad, or intermittent filtration are used, the first being generally too expensive for small cities, while the second is less costly and can be made nearly as effective. The question of combined or separate systems for small cities is now quite positively

decided in favor of the latter. It is not necessary to repeat the well-known arguments used by the advocates of each system. The system now designed for nearly all cities of moderate size, and often of larger ones, is based on the plan of providing for house-draining almost exclusively, subsoil drains are sometimes connected, and, where found necessary or expedient, storm water is admitted. The best results are obtained by cities when they can secure a well-designed system, covering the entire present and prospective area, if possible, with outfall so placed that no nuisance or injury to water supply can result. If storm water sewers do not empty into large streams it is a good plan to have an intercepting sewer, intercept their dry weather flow, and carry or connect it with the outfall main of the sanitary sewers. The necessity of securing good work at a minimum cost is especially applicable to small cities where the burden of public improvements is most severely felt. In order to secure this object, the plans and specifications must provide for the necessary work at the least cost. In soliciting bids for sewer work, prices per lineal foot for various sizes are requested, regardless of the character of the excavation which the bidder is required to determine for himself. In some instances, however, bids are received for rock excavation, if any; in case the engineer has made an estimate of the amount of rock a just comparison of bids can be made, but much contention between the engineer and contractor can be avoided by adopting the first and more general principle. Where bids for rock excavation are requested and no amount specified, as was the case in a large sewer contract lately awarded, injustice was done to both city and the actual lowest bidder. Where unsafe foundation is anticipated, it seems proper to provide in the specifications that all extra material, as brick, plank or concrete, ordered to be used in addition to what the plans call for, should be paid the contractor at a figure determined by the engineer in charge. This is generally done, but its omission occasions uncertainty in the minds of the bidders, and can be made an unfair burden to the contractor.

Frequently it is found preferable, in case of a very wide street, to place a lateral sewer along each side of the street for convenience of house connections; being more economical than one central sewer. The plan, however, of placing a lateral alongside of a main sewer, or above the same trench, is both unwise and a useless expense. No harm is done to main sewers by proper house connections if Y's are placed where needed; and if main sewer is too deep or in a rock cut. The house connections should be carried up from side of main sewer in the same trench nearly vertical until a proper height is reached. The question of the maximum size of tile pipe for sewers is not settled. Practice limits it to

twenty-four inches. Many cities specify brick for sewers over fifteen or eighteen inches in diameter. The cost of a twenty-four inch sewer is less ordinarily than that of a twenty four inch tile, but when ease of construction, increased flow, less sediment and more imperviousness are considered, we find the majority in favor of tile. Great care, however, is required in securing the best material and laying the same.

On the general features of sewer construction it is necessary to dwell at length, the correct principles are well known, and sewers as constructed at the present time are superior in workmanship and design as well as thoroughly satisfactory; not as often has been the case a network elongated cesspools, but a system whereby all filth and injurious wastes are rapidly removed from dwellings and streets. The great advance in sewer construction during the past decade over that of the preceding one is due to the fact that committees become aware that to prevent disease, the air, earth and water around them must be pure, and also that it is no longer necessary and not even preferable to construct sewers for house drainage large enough to carry all the rainfall which, however attempted, they seldom do. The difficulty of chemically, or otherwise, purifying such immense volumes of mixed sewage and storm water, when necessary, has given a great impulse towards the construction of separate sewerage systems. Where sewage is not received, sewers can be made shallow and less expensive. Small cities have thus become active in sewer construction, which if confined to actual necessity, is never burdensome. Nothing is more injurious and unreasonable than for a small city to endeavor to construct an entire sewer system at once. Correct plans and principles in this branch of municipal work are important in which many millions are expended annually in this country and in which thousands can be saved by intelligent and skillful planning and construction.

The cost per electric light lamp per year before and after public ownership, the "after" service being the same as or better than the service it replaced, is shown by in the following table from an American Exchange.

	BEFORE	AFTER.
Bangor, Me.....	\$150	\$48
Lewiston, Me.....	182	55
Peabody, Mass.....	185	62
Bay City, Mich.....	110	58
Huntington, Ind.....	146	50
Goshen, Ind.....	156	77
Bloomington, Ill.....	111	51
Chicago, Ill.....	250	96
Elgin, Ill.....	266	43
Aurora, Ill.....	326	70
Fairfield, Ia.....	378	70
Marshalltown, Ia.....	125	27
Jacksonville, Fla.....	24	6

Civics and politics differ as essentially as religion and theology.

### Drainage.

The first and most natural objection made by those not practically familiar with drainage operations to the whole system is that the drain will draw out so much of the water from the soil, as to leave it too dry for the crops.

If a cask be filled with round stones, or with musket balls or with large shot, and with water to the surface and then an opening be made at the bottom of the cask all the water except a thin film adhering to the surface of the vessel and its contents will immediately run out.

If now the same cask be filled with dry soil of a cultivated field and this soil be saturated with water, a part only of the water can be drawn out at the bottom. The soil in the cask will remain moist, retaining more or less of the water, according to the character of the soil.

Why does not the water all run out of the soil and leave it dry? An answer may be found in the books, which is in reality but a restatement of the fact, by reference to a principle of nature, by no means intelligible to finite minds, called attraction. If two substances are placed in close contact with each other, they cannot be separated without a certain amount of force. If we wet the surfaces of two pieces of glass, and place them in contact we shall find that they adhere to each other, and that independently of the effect of the pressure of the air, they oppose considerable resistance to any attempt to separate them. Again, if we bring any substance as the blade of a knife in contact with water, the water adheres to the blade in a thin film, and remains by what is termed adhesive attraction. This property resides in the surfaces of bodies and is in proportion to the extent of its surface. Soils possess this property in common with all other bodies, and possess it in a greater or less degree, according to the aggregate surface which the particles of a given bulk present. Thus clay may, by means of kneading, be made to contain so large a quantity of water as that at last it may almost be supposed to be divided into infinitesimally thin layers, having each a film of water adhering to it on either side. Such soils again as sand or chalk, the particles of which are coarser, exert a less degree of adhesive attraction for water. Besides this power of retaining water, which brought into contact with it, the soil has in common with other porous bodies the power of drawing up moisture or of absorbing it, independent of gravitation, or of the weight of the water which aids to carry it down into the soil. This power is called capillary attraction from the hair-like tubes used in early experiments. If very minute tubes open at both ends are placed upright, partly immersed in a vessel of water, the water rises in the tubes perceptibly higher than its general surface in the vessel. A sponge from which water has been pressed out held over a basin of water so that its lower part touches, the

surface draws up the water until it is saturated. A common flower-pot with a perforated bottom and filled up with dry earth placed in a saucer of water best illustrates this point. The water rises at once to a common level in the pot and outside. This represents the water-table in the soil of our fields. But from this level, water will continue to rise in the earth in the pot, till it is moistened to the surface, and this too, is by capillary attraction.

The tendency of water to ascend however, is not the same in all soils. In coarse gravelly soils the principle may not operate perfectly, because the interstices are too large, the weight of water overcoming the power of attraction as in the cask of stones or shot. In very fine clay on the other hand although it be absorptive and retentive of water, yet the particles are so fine and the spaces between them so small that this attraction though sure would be slow in operation. A loamy, light, well pulverized soil again, would perhaps furnish the medium for the diffusion of water in this way.

It is impossible to set limits to so uncertain a power as this of capillary attraction. We see that in minute glass tubes it has power to raise water a small fraction of an inch only. We see that in the sponge or flower-pot it has power to raise water many inches; and we know that in the soil moisture is thus attracted upwards several feet. By absorbing a saturated sponge in a saucer we shall see, that although moist at the top, it holds more and more water to the bottom. So in the saturated earth in the flower-pot the earth merely moist at the surface is wet mud just above the water table. So in drained land the capillary force which retained the water in the soil to the height of a few inches is no longer able to sustain it when the height is increased two feet and a portion descends into the drain leaving the surface comparatively dry.

Thus it would seem that draining may modify the force of capillary attraction while it cannot effect that of adhesive attraction. It may drain off surplus water but unaided can never render any arable land too dry.

Winnipeg is about to purchase a new 15-ton roller. Two tenders are being considered; one from the Waterous Engine Co. at \$4,390, and one from Kelly Bros. & Co. at \$3,785.

Never put fresh stones on the road, if, by cross picking and a thorough use of the rake, the surface can be made smooth and kept at a proper strength and section.

Remember that the rake is the most useful tool in your collection, and it should be kept close at hand the whole year round.

Never shoot stones on the road and crack them where they lie, or a smooth surface will be out of the question.

### What Destroys our Streets.

Without doubt the heavy cartage and drayage of modern times have much to do with the perishableness of modern pavements. The hardest rock itself cannot long withstand the continuous grind of heavy loads supported upon narrow tires. To this foolish and destructive fashion of building carts and drays designed for the transportation of great weights, the failure in modern pavements is due. It must be remembered that the celebrated roads of antiquity were never subjected to similar tests, and that the smaller the surface called upon to sustain great weight the less naturally will be the resistance power offered, and the greater will be the pressure upon the point of contact. If anyone will take the trouble to ascertain the weight of an average load, hauled by hundreds through all our chief cities daily, measure the width of the tire and then figure the pressure per square inch to which a pavement is exposed, based upon the fraction of a circle which touches a straight line, he will have a better idea of what road builders of the present day have to contend with. This width of cart wheels and tires should be regulated by law with a view of municipal economy, and each Commonwealth should endeavor by legislation to enforce honesty in the laying of foundations for every foot of pavement used.—Lippincott's *Magazine*,

Clean streets are conducive to human comfort and health, says the *New York Medical Journal*. That very filthy streets are a source not alone of discomfort, but of disease, is admitted by all sanitary authorities and by all intelligent persons who have given any attention to the subject. It seems, therefore, reasonable to assert that, since filthy streets breed disease, the more thoroughly the filth is removed the better, and that absolute cleanliness, could it be attained, would remove a distinct danger to public health. It is probable that few rational people will deny the truth of this assertion; but unfortunately, absolute cleanliness is not possible, and the practical question has to be considered of how thorough our efforts in its direction should be in order to reduce the danger so far as possible without at the same time wasting money in the needless and futile attempts to attain the ideal condition. In other words we must settle as to what degree of street cleaning "pays."

Mount Forest, Ont., citizens want a system of waterworks.

Do not spread large patches of stone over the whole width of the road, but coat the middle or horse track first, and when this has worn in coat each of the sides in turn.

Never spread stones more than one stone deep, but add a second layer when the first has worn in, if one coat be not enough.

## QUESTION DRAWER

SUBSCRIBERS only are entitled to opinions through the paper on all questions submitted if they pertain to municipal matters. Write each question on a separate paper on one side only. When submitting questions, state as briefly as possible all the facts, as many received do not contain sufficient information to enable us to give a satisfactory answer.—ED.

A. B.—Can a municipal council of a town construct a sewer or drain for the purpose of draining a particular locality for sanitary or drainage purposes under subsection 4, section 616, Consolidated Municipal Act, 1892, without petition or assent of the property owners interested, on the local assessment plan?

Yes. Certain preliminary steps are necessary before passing the by-law.

1. Recommendation of the board of health.

2. Report of engineer or other sanitary officer, and of a committee of the council, adopted by the council, recommending the proposed work or improvement for sanitary or drainage purposes.

3. Notice to the parties whose property is to be charged for the cost of the work.

4. A vote of two-thirds of all the members of the council present at any regular meeting that the work is desirable in the public interests. See subsection 4, section 616, and (a) of section 619.

The Act does not say that notice is to be given to the parties to be affected by the work, but it appears, nevertheless, to be necessary in view of the decision of Mr. Justice Street in re Hodgins vs. Toronto, decided under section 623 B, in which he held notice to the parties necessary and in his judgment expresses the following opinion: "The determination of this question is clearly a judicial act, and before a conclusion is reached upon it, the persons affected by it should have notice that it is under consideration and to be permitted to show, if they can, that the proposed sidewalk is not desirable in the public interest.

W. E. A.—My attention was called lately to a reply made by the legal editor of your paper to the question as to whether the collector (where a municipality had a dog tax) could, when collecting the taxes, place upon his roll a dog not assessed and collect the tax from the owner or harbinger. The reply was he could and the authority was quoted, but in a recent issue of *The Mail and Empire*, the legal editor says the tax cannot be collected. Will you kindly answer the question again, or send to me on the enclosed post card the authority you quoted, as I cannot find it?

We have not answered any question worded as above. In May last, in answer to the question, "Can collection of dog tax be enforced at time of assessment?" our reply was "No," unless a by-law be passed in pursuance of section 489, subsections 15 and 16, of the Consolidated Municipal Act as amended. A by-law of this kind provides for the giving of a tag to the owner or harbinger of a dog at the time of its assessment on payment of the tax to the assessor or collector of dog tax if any appointed. The collector has no authority to enter any tax whatever on the roll after it is placed in his hands by the clerk.

F. D. W.—On the third day of October last the council of this township issued debentures (drainage) to the amount of \$1146.92, bearing interest at five per cent., to be paid in sixteen equal yearly instalments, on the third of January each year, the first to be paid on January third, 1896.

Among others we got an offer from a party to purchase the debentures so as he would realize 4½ per cent. on them; he also agreed to pay accrued interest and we sold to him on those terms.

In computing the amount that should be paid for the debentures, there is a difference of \$19.54 between the buyer and me, he claiming that \$1,225.88 is all he should pay, while I claim he should pay \$1,245.42. He has promised to pay the difference if we can prove him wrong—*by an expert*—before the first of January. If you would kindly inform me how much of a premium, how much accrued interest, and the total amount we should receive, under those conditions, you will greatly oblige.

The amount to be paid for debentures is ascertained as follows: 1,146.92 x .9635 = \$110.49, the equal annual payment. This divided by .093114 = \$1,186.78, the amount to be paid for debentures; to this add accrued interest, \$43.00, and you have the amount to be paid—\$1,229.78. The equal annual payment on the amount paid for the debentures should, at the 4½ per cent. rate, equal the 5 per cent. rate on the smaller amount.

Z. R.—I see in the law that no council can pass a by-law to make a change in school boundaries after the first of May in any year, and the said change shall take effect on the 25th of December in the same year.

But when all the ratepayers are willing for the said change, will that be enough to permit the council to pass a by-law for the change, and will the said by-law be lawful?

No.

TOWNSHIP CLERK.—Clause 3, section 263, Consolidated Municipal Act, directs that the council of every township shall meet on the 15th day of December in each year, and shall immediately thereafter publish a statement of receipts and expenditures for the portion of the year ending on that day, together with a statement of assets and liabilities and said statement to be published in some newspaper in the municipality, if any; if there is not any, then in some paper circulating in the municipality.

But in place of so publishing the statement the council may cause same to be posted (I suppose a printed copy of the statement is meant) at certain places mentioned, not later than the 24th of December. Clause 4 directs, however, without reference to either of the above mentioned modes of publication, that the township clerk shall procure at least 100 copies of the statement for circulation.

When the statement is published in a newspaper, must the clerk procure these copies? or, is it intended that he shall do so only when the publication is made in the second mentioned mode?

If he must procure copies when publication is made in a newspaper it seems to me that such publication in a newspaper is a useless expense.

I am of opinion myself that clause 4 is imperative and that the 100 copies must be had in either case. I would like to have your opinion on the question.

Your opinion agrees with ours, that clause 4 is imperative.

J. K.—1. Has a village council power to pass a by-law to prohibit, or make the price of licenses so high as to amount to the same thing, for games of skill upon the streets or elsewhere, such as are seen at fall fairs? or

2. Itinerant dealers in jewelry and other wares upon the street or upon premises for licenses?

3. Does the money received from such dealers or peddlers of any kind belong to the village or the county?

4. Has an agricultural society without a charter (and having its fair within the village) the right to license games of skill, dealers, and showmen of various kinds?

1. No.

2. No.

3. The fees would be payable to municipality passing by-law under which they are collected.

4. They may regulate and license anything not prohibited by law.

C. A. R.—1. C dies without a will. His father lived with him. No personal property, but 100 acres of land. What claim has his father on the land? C having two brothers in England, would they have any claim on the land?

2. The council is keeping the old man now; he is 84 years old. What steps should the council take to sell the land and put the money towards his keep?

3. C's brothers sent their father some money; would they have any claim on the land for the money they sent the old man?

1. If C died intestate the father and brothers would be joint heirs.

2. The council has no power whatever to sell the land but may take a deed from the father if the circumstances bring the case within section 13, chapter 35, 56 V.

3. No.

C. K.—1. If a tenant fails to perform his statute labor and moves away before the tax collector calls around (the pathmaster having returned his roadwork as unperformed), is the owner of the premises liable for the same, or, having paid the collector, can he by rights demand the statute labor fees back from the council? As I understand it, every man must either work or pay for two days' statute labor.

2. Should a tenant move away without leaving the one dollar dog tax with the owner, can the owner be made to pay the said dog tax, or can he get it taken off by the council?

1. If the tenant failed to perform his personal statute labor tax before he moved away it cannot be collected from the owner, but the statute labor tax imposed against the land may be collected the same as other taxes.

2. Owner cannot be made to pay.

J. C.—The council made a road through A's lot about thirteen years ago. The road has never been surveyed nor registered. A never received anything for said road. A sells lot to B and B searches registry office and finds nothing against said lot; no road registered as running through said lot. B settles on lot and finds that this road runs right across his lot about ten rods east of the original road allowance thereby causing him to make two fences to protect his crop. B has asked council to open original road or pay him for the land used for road on his lot and fence the road. Council refuses to do anything in the matter.

1. J. C. wishes to know if B can compel the council to pay for road and fence it?

2. Can the municipal council of a township in Ontario extend the time for the collecting of taxes any longer than to the 1st February, 1896?

3. Can the collector seize for taxes after that date?

4. Can a municipal council pass a by-law on the 15th day of December to extend the time for collecting taxes?

1. No.

2. Yes. See section 133, Consolidated Assessment Act.

3. Yes, so long as he has not returned the roll.

4. Yes.

**SUBSCRIBER.**—Have municipal councils in townships any right, by by-law, to add a percentage on all unpaid taxes at a fixed date?

Yes. See section 53, Consolidated Assessment Act.

**T. D. R.**—1. Is a petition signed by a majority of the ratepayers of an unincorporated village a sufficient guarantee to a municipal council for the issue of debentures to cover a sum required by the unincorporated village for local improvement, or

2. Will a vote of the ratepayers of the unincorporated village have to be taken before the by-law can be passed legally?

1. Yes. See sections 17, and 612 to 630; Consolidated Municipal Act.

2. No.

**J. M.**—If a party whose name is on the collector's roll as owner can the collector sue for the amount of such if the party does not live in the county?

No. See note (f) to section 131, Glenn's Collector's Guide.

**G. B.**—1. Does the warden of a county continue in office until his successor is appointed, and if so, does he do so irrespective of the fact that he may not be a member of the next year's council?

2. A township councillor, during the year for which he is elected, sells his property in the township and ceases to have any other interest therein, but still owns property and lives within the two mile limit. Does such action vacate the seat and require a new election?

1. Yes.

2. No.

**W. D. W.**—Can a postmaster in an incorporated village be elected to the office of reeve? Does the fact of his being postmaster disqualify him from becoming reeve?

The position of postmaster does not disqualify anyone elected to a municipal office.

**N. W.**—Is corporation compelled to make approaches to sidewalks in front of residences or other properties? We are raising the sidewalks higher than formerly so as to let air under the wood, and some claim we are shutting them in. If we are liable to make approaches must they be in and outside of walks as well?

No.

**ALGOMA.**—Part of township is too large for one school section; it would make two small ones; there has never been more than one school in that part of the township; a new school house has to be built. At a meeting of ratepayers to decide on a site, the majority at said meeting decided on building about the centre, which leaves a part of township on each side outside of school section limits. Ratepayers in that latter part petition township council to form a school section for them.

1. What is the duty of the council in this case?

2. Can what is called special school rate taxes be collected from parties living over three miles from school house? The Council calling it a municipal grant to schools.

1. We are unable to answer this question without further information as to how section was first formed. Property outside the limit—three miles—would not be liable for rates.

2. No; unless they send children.

**COUNCILLOR.**—1. A resident of our village, otherwise liable to poll tax, owns or rents property in a town on which he pays taxes. Will certificate of his having paid said taxes entitle him to exemption from poll tax here?

2. A resident of our village from whom poll tax is claimed, disputes the claim on the ground

that he is assessed with his father for the farm owned and resided on by his father in adjoining township. Will certificate of statute labor having been done for the farm entitle the son to exemption from poll tax in this village?

1. Yes.

2. Yes.

**S. C. W.**—1. After the hour has passed for receiving nominations for reeve and councillors, has the returning officer a right to allow the meeting to appoint a chairman in his place to conduct the rest of the meeting?

2. Should there be more than one reeve and four councillors nominated on the day of nomination? and there is no poll required by any candidate or by any elector, what course should the returning officer take? Has he a right to open a poll unless some elector demands it? And if no elector asks for a poll can the returning officer declare such reeve and councillors elected as he may wish?

1. The meeting over which the returning officer presides is for the nomination of candidates only. We know that it is usual in most municipalities to continue the meeting for the purpose of giving the candidates nominated an opportunity to address the electors on municipal matters. It is entirely optional with the meeting as to who is appointed chairman.

2. If, at the expiration of the hour, more than one candidate remains nominated for a particular office, it is the duty of the returning officer to adjourn the proceedings for filling the office until the first Monday in January.

**M. C.**—Our council formed a school section, issued debentures and sold them to build school house. Four years later it became necessary to form more sections and council alters the boundary of the first by taking in a number of farms. This year council orders collector in making up his roll to strike debenture rates on the new farms in the section as well as the old. On the collector going to collect they all refuse to pay debenture rate although receiving the full benefit and utilizing the same benefit as the rest. Can the council legally collect debenture rate of them?

Subsection 4, of section 115, Public School Act reads: "Notwithstanding any alteration which may be made in the boundaries of any school section, the taxable property situated in the school section at the time when such loan was effected, shall continue to be liable for the rate which may be levied by the township council for the repayment of the loan."

**ALGOMA.**—In a township not divided into wards, is this the proper way for the clerk to hold nominations?

He opens at 12 noon, solar time, keeps open for one hour receiving nominations for the offices of reeve and councillors.

If only one man is offered for reeve, and four for the office of councillor, clerk declares nominees elected by acclamation, but if more than one for reeve and four for councillor are offered, he then considers a poll necessary and announces time and place without poll being demanded by any person.

Yes.

**J. B.**—In making up the rates on the collector's roll of last year, the annual drainage assessment was accidentally omitted. Can it be charged against the lot on this year's collector's roll? The ownership of the lot has not changed.

Yes.

**F. J. C.**—Do the marginal notes opposite the various sections of a by-law or statute constitute a part of such statute or by-law? or become a part of its legal enactment?

What legal position do such marginal notes have or have they any legal standing?

In looking over some of these marginal notes I find they do *not* convey the same meaning that the reading of the section conveys; in other words there is a direct conflict between the marginal notes and the sections to which they are appended.

See section 7 chapter 47 statutes 1895.

The marginal notes have no bearing on the statute.

**J. M.**—I notice in the November issue that a resolution passed favoring the repeal of the law requiring councils to publish statements after the 15th December in each year. I cannot see what good can result from such statements as the books of the municipality close on the 31st day of December in each year. Your opinion on the matter will oblige.

We are of opinion that the publication of the detail statement on the 15th of December is unnecessary; that the treasurer's books are available to every elector, and that the publication of an abstract statement of receipts and expenditures, assets and liabilities under the hand of the reeve and treasurer would be quite sufficient.

#### Snow on Roads.

In an action recently tried before Judge Wilkinson an important decision as affecting municipal councils was given. The plaintiff in the case owns and drives a stage between Kingston and Sydenham. In some parts of Loberough Township, during the winter season, snow has been allowed to accumulate until the road is almost impassable. The plaintiff has repeatedly notified the council in regard to the matter, but no attention was paid to his complaints. In the spring of this year the snow, as usual, was allowed to accumulate at a part of the highway, and the stage driver notified the council to have it removed. The council, as usual, disregarded the notification, and the plaintiff was obliged to turn out himself and remove the snow and make the road passable. He brought his action to recover damages for time he lost, and the amount he paid. Judge Wilkinson has just decided that he can recover, and that the defendants are liable for the non-removal, and he gave judgment for the plaintiff.

#### The Day's Gossip.

"Is it really true?" said the little boy, "that politicians are sometimes not strictly honest?"

"Yes," replied Senator Sorghum, sadly; "I am very sorry to say that it is. I have known politicians who got votes years ago and have not paid for them yet."—*Washington Star.*

It is not sufficient for the citizen to know what he does *not* want in the way of legislation; it is absolutely necessary that he learn what he *does* want.

Snaggs—"Do you know, Bilkins, I think I'm a gifted orator." Bilkins—"What makes you think so?" "I've spoken twice, now, and when I sat down on both occasions the audiences were much pleased and applauded loudly."

### Frontage Assessment.

(Herald)

An interesting decision was recently given by Judge Woods of Stratford on an appeal from the court of revision on an assessment for sewer. Larkworthy, the appellant, stated that the property was on the north side of the street, and the proposed sewer for which the assessment was made was to be on the south side of the street; the property, 10 acres, was farm lands without buildings and valued at \$50 per acre; that the assessment was \$277.50 and that the lands would reap no benefit, and that the natural flow was to the north-east.

Several points were discussed by counsel, and his honor gave it as his opinion that what he had to consider was whether the property assessed was benefited at all by the proposed sewer, and if so to what extent, and declared the proper procedure would be to have an engineer to take levels and make the assessment in proportion to the benefit to be derived. Mr. Idington, acting for the city, contended that the assessment should be made according to frontage and declared there was nothing in the statutes to support his honor's contention. The judgment reads as follows:

I am of opinion that the local improvement works referred to in the Consolidated Municipal Act, sections 569 to 624 inclusive are contemplated to be under the direction and that the assessments required shall be made by a properly qualified engineer or surveyor. I think the different sections of the statute almost irresistibly point to that conclusion, and in any case, it is quite clear that it is good practice to follow such a course. I have no reflection to cast upon the assessor named in the by-law, but he has not the special skill necessary for the task cast upon him, and his assessment is certainly not carried on any principle in accordance with the views of the counsel either for the appellants or the respondents. The assessor was not sworn, but he stated that his assessment was made on the frontage system, meaning thereby, as I understood him, that it was so much per foot frontage irrespective of benefit received by the land, which is the position the city solicitor contends is the correct one. Later on he explained the low assessment of a particular lot, because of the expenditure of the owner already made in drainage, and perhaps as to that he is right; see sec. 569, sub-sec. 11 a, of the Consolidated Municipal Act, but in another property in which it is said very large expenditure has been made, and effectual drainage obtained he admitted that he had made no enquiries but assessed on the "frontage basis," that is, as construed in argument to-day, an arbitrary assessment for the sewer in question of so much a foot irrespective of the benefit derived by the land abutting. If that argument is correct then the court of revision and the court to which an appeal lies are, if not ornamental, simply useless appendages, or at any rate only placed to see that the assessor correctly measures up the ground frontage. If it is not correct then both the court of revision and judge have real duties to perform, and in such case it is most important that they should be furnished with data that can only be supplied by a properly qualified engineer or P. L. S. I am of opinion that the duties of the court of revision and the judge are not so limited. I refer to section 569, sub-section 10, 11, 12, 13, 14, 15 and 16; these do not refer to sewers but do indicate the scope of the powers of court. Section 612 is "for providing the means of ascertaining and determining what real property will be immediately benefited by any proposed work of improvement,

the expense of which is proposed to be assessed upon the real property benefitted thereby and of ascertaining and determining the proportions in which the assessment of the cost thereof is to be made," and there is given the right of appeal to the court of revision and from that to the county judge" as is provided for by section 569 of this act." The by-law under which this assessment was had is said to have passed under section 616, viz: by petition; there is no reference in that section to appeal from the assessment, but it was not contended that there is no such appeal. It must as to that come under either section 612 to which I have already referred, or section 618, sub-section 5, under the head "publication of notice which again gives the same right of appeal to the court of revision and to the judge as is given by section 569 before referred to, which as well as the general assessment act contemplates and gives the power to these courts to alter and vary an assessment by whomsoever made according to the evidence, and according to right. Under section 623 a, "Whenever in cities and towns an appeal lies from the court of revision to the county judge under sections 569 to 623 inclusive the said county judge shall in addition to his other powers under this act and the assessment act, have the power to inquire and determine what other lands (if any) than those included in the assessment appealed from are or will be especially benefitted by the proposed work of improvement appealed from and to add such lands to the assessment, notwithstanding any such lands, or any part thereof may not have been specified in any motion of appeal to the said judge, and the said judge shall cause all parties to be effected by the addition to the assessment of their lands to be notified of the time and place when the said appeal and matter will be considered and may for that purpose adjourn the hearing of the said appeal from time to time." It comes to this then, that if I were to give effect to the contention referred to, I should be obliged to hold, that while I have power under the section just cited to add without appeal persons who should originally have been added and so readjust the whole assessment, the words "in addition to his other powers" are limited to the duty of seeing that the assessor holds his tape-line straight, that I have no power to strike off the name of a person whose lands are according to evident obviously not benefitted, or to adjust an unequal or unjust assessment. As I have said before, I hold the contrary. Moreover it is obvious that in fixing the assessment of land so added for a sewer it must be on the basis of the benefit received, for cases may be easily conceived wherein the question of frontage would not arise at all. It was said in argument that the law is very clear and that I must follow the statute (which I have been endeavoring to do) and I was invited to explain the meaning of the words. "The special rate to be so assessed and if levied shall be an annual rate according to the frontage thereof upon the real property frontage or abutting upon or extending to within six feet of the street or place whereon or wherein such improvement or work is proposed to be done or made." It is to be observed that these words do not occur in section 616, but assuming that they apply to that section, as I think they do, it does not follow that the assessment shall be on a hard and fast line, on an equal charge per foot on the whole line of sewer. I am not sufficiently familiar with the minutiae of the subject and the details of the working out of assessment to say just why the section should have been passed, but sub-section 2 seems to suggest that it would make an increased assessment if necessary more easy of accomplishment, and again it may have been thought that in case of sales by a large proprietor the sewer rate being fixed by frontage rate according to the benefit derived by the land would facilitate the ascertainment of the exact sum charged on any particular portion. I am not, however, much concerned about that, it is an isolated section though there are others in the act referring to the same matter which if it is apparently difficultly to reconcile it with other sections cannot be allowed to antagonize the principle underlying the whole of these local improvement clauses. There is this to be said: If Larkworthy had sold a strip of 8 feet off the front

of his 10-acre lot, if the views which I take are incorrect, or rather the views put forward in argument are correct, there might be a great difficulty in assessing him at all, no matter how much his lands might be benefitted, except under section 623 a. The fact as to Larkworthy's case are these: He has near the east limit of city a parcel of land containing 10 acres with a frontage on Ontario street of 660 feet. He says it is wholly used for farming purposes, growing oats and the like, and it is worth about \$500. He further says he can reap no further benefit from the sewer, and that the natural drainage is N. E. to the Avon, nearly in an opposite direction to the sewer. This was given on oath. Mr. Sharman, the assessor, did not pretend to have examined the land to see if it would be benefitted by the proposed sewer, but applied the "so called" frontage tax theory of the frontage, assessing Larkworthy's for \$270.50. Larkworthy's statement was taken on oath. Mr. Sharman simply made a statement. No evidence was called in rebuttal to Larkworthy's statement and on this state of facts I direct his name to be struck out, as a person whose lands will on the evidence placed before me, not be benefitted directly, especially or otherwise by the proposed sewer. Larkworthy further stated that his land was not saleable otherwise than farm lands; had not been built upon and was not now. He is relieved.

### Abolish the Ward System.

Woodstock Sentinel-Review.

The proposal to abolish the ward system in cities and towns is beginning to attract some attention in Ontario. At a recent meeting of the Brantford Board of Trade, T. H. Preston brought up the matter for discussion, and after a number of prominent citizens had expressed themselves favorably, a resolution was adopted endorsing the principle. In supporting the motion Mr. Preston pointed out that there are many able men who could not be returned from their own wards that the city as a whole would be glad to elect, and that there were many men who get into the council through the ward system that never would be heard of in that connection if the wards elected but one man each, or the choice had to be made by the city as a whole. An objection to the present system was the inequality of the franchise. For example, A owning \$10,000 of property in one ward could vote for but three aldermen, while B, owning \$5,000 of property, scattered over five wards, had fifteen votes. This was an absolute absurdity, which his plan, if adopted, would most entirely remove. Another advantage mentioned by Mr. Heyd, would be a reduction of the influence of the ward politician, thus giving additional importance to the aldermanic position.

### The Veteran Clerk.

W. P. Taylor, of the township of Fitzroy, after thirty-eight years service has decided to tender his resignation as clerk at the next meeting of the council.

A—"When I see you I always think of the proverb: To whom God gives an office, to whom he gives understanding."

B—"But I have no office!" A—"Well don't you see how that fits?"

## Municipal Elections.

The municipal nominations will be held this year on Monday the 30th day of December. It is necessary for councils to pass by-laws appointing returning officers and fix places where the nominations and polls will be held. The clerk or other returning officers should advertise the nomination not later than the 23rd of the month, and where the advertisement is to be published in a weekly paper, the notice should be in the printer's hands not later than the 17th.

\* \* \*

The returning officer appointed for each ward, or the clerk, as the case may be, is required to preside at the nomination meeting. When he is absent, the meeting may choose a chairman. Nominations may be received from one hour from the time fixed for holding the meeting. Where there has been a delay in opening the meeting, it is sometimes advisable to extend the time, and allow a full hour to expire before closing the meeting. A nomination is required to be moved and seconded. After the nominations have been received, and there is more than one candidate for the same office, the returning officer or chairman should adjourn the meeting until the first Monday in January, and state when and where the polls will be opened.

\* \* \*

Any person proposed for one or more offices may resign at the nomination meeting or following day, or elect for which office he is nominated. Nomination meeting continues for one hour only, and from the time that meeting is adjourned, until midnight of Tuesday the 31st of December, candidates nominated may hand in their resignation to the clerk; in writing, signed and attested by a witness. If the resignation is not received by the time mentioned, the clerk or returning officer has no alternative, but to go on and hold the election.

\* \* \*

The polls will be held on Monday, the 6th January, from 9 a. m. to 5 p. m. In addition to the poll books and other forms required by the Municipal Act to be furnished deputy-returning officers, it is the clerk's duty to give each deputy-returning officer a printed copy of the last revised voter's list for the ward or polling subdivision in which the deputy proposes to act, to which should be attached a certificate stating that it is the proper voter's list to be used at the election.

\* \* \*

The oaths to be taken by municipal electors were changed at the last session of the legislature, and where old forms are used, clerks should not neglect to supply the deputy-returning officer with the necessary amendments.

For forms of Government let fools contest,  
That which is best administered is best.

## An Example for Public Officials.

Excise laws enacted under corrupt legislation with the intent of using them only as a means of levying blackmail, are being honestly enforced by the new commissioners of police in New York city. In reply to the maledictions which a righteous regard for their oaths of office is bringing upon himself and his colleagues, Theodore Roosevelt, chairman of the commission, says:

"I had to choose between closing all the saloons and violating my oath of office. I choose to close the saloons.

"The American people will not ultimately sanction the systematic violation of the law.

"I would rather see this administration turned out for enforcing laws than see it succeed by violating them.

"I am an executive, not a legislative officer. I indulge in no theorizing about the performance of duty.

"We suffer from over-legislation and lax administration of legislation.

"The present Excise Law was enacted by the party which is now howling against its enforcement.

"The law was enacted as a political club for machine purposes.

"Discrimination in the enforcement of the Excise Law has been at the bottom of police blackmail and corruption."

Mr. Roosevelt speaks truly, and his example is worthy of emulation.

Replying to the query of a correspondent THE MUNICIPAL WORLD holds that it is not legal for the offices of clerk and treasurer of a municipality to be filled by one and the same person, and declares "Section 271 of the Consolidated Municipal Act, 1892, was enacted in its present form to prevent or make it illegal for one person to hold more than one of the offices mentioned. A man holding one office could not make proper declaration for another." The contention of THE MUNICIPAL WORLD appears to be, that it is incompatible under the section quoted, for one person to hold the two offices of clerk and treasurer. If this be the correct interpretation of the Act, a good many councils throughout the country will have to go into the reconstruction business, and the taxpayers will, no doubt, have to pay more for the performance of the duties of these officials: the more individuals to do the work, the more it costs; but if the law says so, there is no alternative, for the code makes it an indictable offence for members of council not to do what the enactment of the legislature says they shall do.—Newmarket Era.

The house of industry for the united counties of Leeds and Greenville, located at Athens, has been formally opened. It provides accommodation for one hundred inmates, and cost about \$21,000.

## Longer Term.

The present, is a good time to discuss the advisability of electing municipal councillors for a longer term than one year.

The real issue in municipal elections relates only to the management of municipal business, which should be transacted by men who have had practical experience. Under the present system of elections, councillors do not have an opportunity to display their ability to carry on municipal work in a practical manner. This could be easily remedied by extending the term of office. School trustees are elected for three years, the result being, that experienced men always form the majority. If in municipalities, where the councils are composed of five members, the reeve and one councillor were elected each year, the councillors retiring in rotation, experienced men would always be found at the council board. Municipal office would then be accepted by many who object to the annual elections. A new member with ideas would have men of experience to advise him and an economical management of every department of municipal service would be the result.

## Special Notice.

THE MUNICIPAL WORLD for January will be sent to the clerk, to be laid before all municipal councils in the province at their first meeting for 1896. Those whose subscriptions expire with the December issue, and who desire to have the January number before the first meeting of the council, should send in their order for the paper to be cancelled when order from council containing their name is received. Old subscribers will confer a favor by recommending THE WORLD to prospective candidates and newly-elected colleagues.

The county council of Essex, after considering offers from Windsor and other places, decided not to remove the county buildings, but to repair the old ones at a considerable expense. The city of Windsor, feeling aggrieved, made application for an injunction to restrain the county from proceeding with such alterations and repairs upon the ground of the invalidity of the county by-law. The county admitted that the by-law was defective in form and that it did not provide for the expenditure in the estimates, judgment was pronounced quashing, by-law and declaring contracts for work invalid.

The county council have a right to go on and make the repairs, but they must pass a proper by-law for raising the funds for so doing, that is, to pay for the repairs out of this year's funds, or advertise the by-law for three months and issue debentures.

Don't delay in sending in your subscription to WORLD for 1896.



# BLANK FORMS

## Municipal Election Blanks.

- Special poll books for 200 names, complete with ballot act and all forms required, pencils, sealing wax, etc., for each polling division.....
- Special poll books for 300 names, complete.....
- Special poll books, complete, do not include certificates to vote where stationed, required under section 141.*
- Sheets poll book paper.....  
Schedule C, sections 129 to 132.
- Poll books, bound, to contain 200 names..
- Poll books, bound, to contain 300 names..
- Poll Books, larger sizes, to order.
- Special poll books for 200 names, bound with form containing
  - Schedule D, certificate to Assessment Roll
  - Schedule G, oath of deputy-returning officer
  - Schedule H, declaration of secrecy for 10 or more.
  - Declaration of office D. R. O.
  - Oaths to be taken by electors.
- Special poll books for 300 names.....
- Special poll books, any size, to order.
- When special poll books are ordered the forms marked \* will not be required.*
- \*Certificate as to assessment roll.....  
Schedule D, sect on 135.
- Declaration of inability to read with attestation clause annexed.....  
Schedule E and F, section 149.
- \*Oath of deputy-returning officer after the closing of the poll.....  
Schedule G, section 155.
- \*Statutory declaration of secrecy.....  
Schedule H, section 170.
- Ballot paper account.....  
Section 155, subsection 4.
- Statement of votes, per dozen.....  
Section 152, subsection 5.
- \*Declaration of office of deputy-returning officer.....  
Section 271a.
- Act for prevention of corrupt practices, for posting up.....  
Section 222.
- Directions for guidance of voters, for posting up.....  
Schedule B, section 126-146.
- Packets required by deputy-returning officers at close of poll.....  
Section 155.
- A—To enclose the statement of votes given for each candidate and of the rejected ballot papers..
- B—To enclose the used ballot papers which have not been objected to, but which have been counted..
- C—To enclose the ballot papers which have been objected to, but which have been counted by the deputy-returning officer.....
- D—To enclose the rejected ballot papers.....
- E—To enclose the spoiled ballot papers.....
- F—To enclose the unused ballot papers.....
- G—To enclose a statement of the number of voters whose votes are marked by the deputy-returning officer under the heads "Physical Incapacity" and "Unable to Read," with the "Declarations of Inability" and the notes taken of objections made to ballot papers found in the ballot box....
- Certificate entitling deputy-returning officer, poll clerk and agent to vote where stationed.....  
Section 141.
- \*Oath to be taken by electors.....  
Sections 102-105.
- Ballot acts for dep'y-returning officers....  
Sections 107-176.
- Lead pencils for marking ballot papers..
- Sealing wax sticks.....
- Ballot papers printed to order.
- Ballot boxes, metal, of the most improved pattern, with padlock.....

## By-Law Ballot Act Forms

- Special pol books for 200 names, complete, with Ballot Act, and all forms required, pencils, sealing wax, etc., for each polling division.....
- Special poll books for 300 names, complete.....
- Special poll books, complete, do not include certificates to vote where stationed under section 302.*
- Sheets Voters' List paper.....  
Schedule C, section 303.
- Voters' Lists (bound) to contain 200 names.....
- Voters' Lists (bound) to contain 300 names.....
- SPECIAL VOTERS' LISTS FOR 200 NAMES (bound) with form containing
  - Clerk's certificate as to Voters' List
  - Declaration of Deputy Returning Officer
  - Declaration of Secrecy, for ten or more
  - Certificate of D. R. O.
  - Oath of D. R. O.
  - Oaths to be taken by electors.
- Special Voters' List for 300 names.....
- Larger sizes to order.
- When special Voters' Lists are ordered, the forms marked \* will not be required.*
- \*Clerks' certificates as to Voters' List.....  
Section 303.
- \*Declaration of D. R. O.....  
Section 271a.
- \*Declaration of Secrecy.....  
Schedule H, section 322.
- \*Oath of D. R. O.....  
Schedule G, section 316.
- \*Oaths to be taken by voters.....  
Sections 310, 311 and 312.
- Declaration of inability to read, with attestation clause attached.....  
Schedules E and F, section 149.
- Ballot paper account.....
- Return papers for making statement of the result of the polling.....  
Section 313.
- Directions for the guidance of voters for posting up.....  
Schedule L, section 307.
- Act for prevention of corrupt practices for posting up.....  
Section 222.
- Packets required by Deputy Returning Officers at close of poll.....  
Section 315.
- A—The statement of votes given for and against the by-law, and of the rejected ballot papers.....
- B—The used ballot papers, which have not been objected to, and have been counted.....
- C—The ballot papers which have been objected to, but which have been counted by the Returning Officer.....
- D—The rejected ballot papers.....
- E—The spoiled ballot papers.....
- F—The unused ballot papers.....
- G—The Voters' List; the list of votes marked by the returning officer; and a statement of the number of voters whose votes are so marked, under the heads "Physical Incapacity" and "Unable to Read," and the "Declaration of Inability".....
- Certificate entitling Deputy Returning Officer, poll clerk and agents to vote where stationed.....  
Section 302.
- Agent's Declaration.....  
Sections 298 and 300.
- Agent's Appointment.....  
Section 299.
- By-law ballot acts for information of Deputy Returning Officers.....
- Lead pencils for marking ballot papers,
- Sealing wax for sealing packets.....
- Ballot papers printed to order.
- Ballot boxes, metal, with padlock.....

## Assessment Rolls.

- Sheets assessment roll paper.....
- Sheets Assessment roll paper, non resident
- Assessment notices.....  
Schedule B, section 47
- School Census books, bound.....  
Section 14c.
- Declaration for parties to fill in.....  
Section 42.
- Assessor's guides with notes.....
- Assessors certificates.....
- Recapitulation of Assessment roll.....
- Covers for assessment rolls, leather back..
- Assessment Rolls, bound, any size, to order.

## Collectors' Rolls.

- Sheets Collectors' roll paper.....
- Sheets Collector's roll paper, non resident
- Collector's receipts bound in books of 100.
- Warrant to distrain for taxes.....
- Collector's bonds.....
- Collector's Guide with notes.....
- Covers for Collectors' Rolls.....
- Collectors' Rolls, bound, any size to order.

## Blank Forms required by the Ditches and Watercourses Act, 1894.

- "It shall be the duty of the municipal-ity to keep printed copies of all the forms required by this Act."—Sec. 7, subsec. 2.
- B—Declaration of ownership.....
  - C—Notice to owners.....
  - D—Agreement by owners.....
  - E—Requisition for examination by engineer.....
  - F—Notice of appointment for examination by engineer.....
  - Notice of filing award.....
  - H—Engineers' certificates.....
  - Summons, appeal to judge.....
  - Full explanatory notes are printed on each form.

## Drainage Act Forms.

- Petition of owners.....
- Oath of engineer.....
- Notice to party assessed.....
- Oath of member of court of revision....
- Summons, court of revision.....
- Notice of complaint.....
- List of appeals.....

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# BLANK FORMS (CONTINUED)

## Forms required under the Voters' List Act.

FOR USE OF CLERK.

- Sheets Form 1—For making printers' copy of Voters' List.
- Form 2—Certificate to be endorsed on Voters' List.
- Form 3—Clerk's Notice of first posting of Voters Lists.
- Form 4—Voters' Notice of Complaint ground of Disqualification.
- Form 5—Notice and Application by Voter to whom persons have transferred Property.
- Form 6—Voters' Notice of Complaint.
- Form 7—Clerk's Report in case of appeals and Complaint to the Judge.
- Form 9—Notice to be Posted by Clerk in his Office with list of Complaints.
- Form 10—Clerk's Advertisement of in Newspaper.
- Form 11—Clerk's Notice to Parties Complaining.
- Form 12—Clerk's Notice to Parties Complained Against.
- Form 14—Report of Clerk when applying for Certificate under section 16.

FOR USE OF COUNTY JUDGE.

- Form 8—Judge's Order for Appointing Court of Hearing of Complaints and Appeals.
- Form 13—Subpoena referred to in Section 10.
- Form 15—Certificate of Notice of Complaint.
- Form 16—Statement of Alterations by Judge on full sheet.
- Form 17—Certificate of Judge.
- Form 18—Order for Payment of Costs.
- Form 19—Writ of Execution.
- Form 20—Order of Assessment of Persons omitted from Roll.
- Form 21—Application of Judge against Delinquent Clerk.
- Form 22—Summons—"The Voters' Lists Act".

## Public School Act Forms.

- Clerk's notice to trustees with blank requisition on Council for school moneys.
- Notice by township council re alteration of boundaries of section.
- Assessors' report of equalized assessment of union school section.
- Agreement for engagement of teacher's
- Notice to parent or guardian of neglect to educate child.

## Line Fences' Act.

R. S. O., Chap. 219.

- 1—Notice to opposite party.
- 2—Notice to fenceviewers.
- 3—Fenceviewer's award.
- Line Fences' Act.

## Arrears of Taxes.

The following forms will be appreciated by all clerks and treasurers having returns to make in connection with arrears of taxes:

- Clerk's notice of uncollected taxes.
- Sheets Municipal clerk to county treasurer, non-resident tax roll.
- Collector to treasurer, statement of uncollected taxes.
- Municipal treasurer to county treasurer, statement of unpaid taxes.
- County treasurer to municipal clerk, list of lands liable to be sold for arrears of taxes.
- Municipal clerk to assessor, notice with list of lands liable to be sold.
- Municipal clerk to county treasurer, occupied return.
- County treasurer to municipal clerk, statement of arrears to be entered on collectors' roll.

## Miscellaneous Blanks

- Declaration of office.
- Declaration of office (Sec. 271 a).
- Declaration of auditor.
- Declaration of property qualification.
- Certificate of appointment of reeve.
- Certificate of appointment of deputy-reeve.
- Certificate of appointment of councilor.
- Pathmaster's schedule or return of statute labor.
- Pathmaster's notice re noxious weeds.
- Pathmaster's certificate of gravel drawn.
- Notice to attend court of revision.
- Oath of member of court of revision.
- Notice of appointment to office.
- Collectors' bonds.
- Treasurer's bonds.
- Orders on treasurer, in books of 100.
- Notice to contractors, jobs for sale.
- Treasurer's tax deeds.
- Affidavit to be taken by persons having sheep killed.
- Auctioneer's license.
- Pedlar's license.

## Poundkeepers' Forms.

- Acts respecting pounds, 10 cents each.
- Poundkeepers' statements.

## Title, Stone and Timber Drainage Act.

R. S. O., Chap. 38.

- Owners' application for loan.
- By-law imposing special rate.
- Statutory declaration of applicant for loan required by Act of 1895.
- Debentures, with name of municipality, etc., to order.

## Forms required by Jurors' Act.

R. S. O., CHAP. 52.

- Oath to be taken by selectors.
- Sheets Report of selectors, 1st, 2nd, 3rd and 4th division.

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.. 1895 ..

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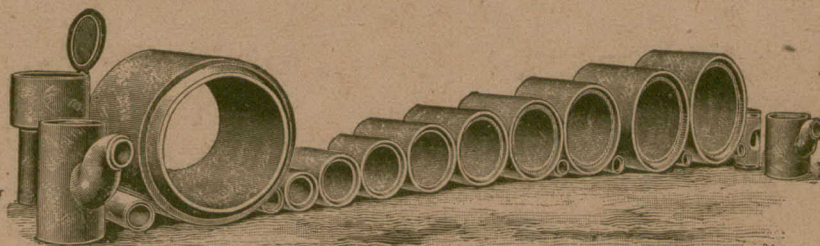
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# Contents of Volume V., 1895.

Abolition of Grand Jury.....	127	Origin of, Agitation for.....	7	St. Stevens vs. Charlotte.....	173
Abolish the Ward System.....	235	Parliament.....	191	St. Louis vs. Reaume.....	213
Aldermen, Pay of.....	46	Pointers.....	89	Thorton vs. Dewar.....	213
Animals at Large.....	228	Prison Labor on Roads.....	129	Union S. Sec. E. and W., Wawanosh	213
Arbitrator, a Municipal.....	147	Roads and Statute Labor.....	172	Wilson vs. County of Elgin.....	13, 74
Assessment Amendment Act, 1895.....	87	Road Education.....	69	York vs. Osgoode.....	113
Assessments, Frontage.....	235	Road Improvement.....	72	Macadam Streets in Toronto.....	130
Assessors.....	5	Road Laws.....	8	Machinery—	
Bridges.....	189	Road-making Machinery.....	29	Pumping.....	89
Bridges, Small Iron.....	71	Road Material.....	30, 132	Road-making.....	29
Broad Tires.....	229	Statute Labor System.....	7	Meters.....	89
Board of Health.....	6	Stone Culverts.....	29	Municipal Accts. and Audits by A. C. Neff	15
“    and Smallpox.....	26	Stone Roads.....	132	Amendment Act, 1895.....	94, 116
Cattle, Impounding of.....	5	Telford Roads.....	32	Arbitrator, A.....	147
Cast Iron and Steel.....	151	Heap of Sand, A.....	216	Clerk's Association, Co. of Oxford An-	
Campaign Trick, A.....	214	Highway, The Queen's.....	72	nual meeting.....	236
Children not to be kept in Poor Houses	127	How Australian Roads are maintained....	131	Defaulters.....	93
Children's Laws, 1895, Changes in.....	157, 174	House of Industry—		Electric Lighting.....	109
City Government in Great Britain.....	168	Committing Inmates to.....	136	Elections.....	236
Cities, Incorporation of.....	47	County.....	55	Farms.....	91
Cinder Paths and Good Roads.....	111	County of Lincoln.....	187	News.....	208
Clerk's Office, A.....	195	County of York.....	46	Ownership in England.....	206
Collector's Duties.....	188	Report to Lambton County Council	128	Reform.....	216
Collector's Notice, Form of.....	147	Welland.....	68	Statistics.....	186
Collector's Rolls, School Rate, Etc.....	228	Huron.....	227	Municipal Insurance.....	6, 36, 47, 167, 230
Complete the Collector's Roll.....	147	In School and out.....	16	No Statute Labor in Malden.....	68
Connecticut Wide Tires.....	149	Infectious, Diseases.....	37	Nominations.....	227
Conference for Good City Government....	166	Initial the Ballots.....	47	Ontario Good Roads Association—	
Cost of Arbitrations.....	133	Jails—		Proceedings Annual Meeting.....	48
County Houses of Refuge.....	55	Rules and Regulations for Govern-		“Parish Councillor,” The.....	216
Councillors and Law Costs.....	107	ment of.....	57, 77, 97, 117	Paving, Comparison of Different kinds of..	150
Councils—		Jury System, The (California).....	186	Pavements.....	190
Meetings of.....	68	Keep Cattle off the Highway.....	5	Pavement, A Good old.....	171
Rules of Order and conduct of members		Key to Prosperity.....	129	Poor House, A County.....	168
of.....	14	Laws, New.....	107	Points to Remember in Working out Col-	
Court of Revision.....	86	Legal Notes.....	73, 154	lector's Rolls.....	157
Culverts.....	12	Licenses—		Political Item.....	17
Brick.....	12	Pedlars.....	5	Pretty Roadsides.....	110
Cast Iron.....	29	Limits of Party Obligation.....	28, 56	Publications Received.....	6, 37
Stone.....	29	Looking on the Bright Side.....	4	Public Opinion.....	26
Pipe.....	12	Longer Term.....	236	Public Health Act, 1895.....	107
Dangerously High Buildings.....	67	Legal Decisions—		Public Schools and Good Citizenship.....	196
Debenture Rates, Calculation of.....	149	Alexander vs. Huntsville.....	113	Question Drawer.....	16, 34, 54, 75, 87, 233
Debenture Instalment Table—		Arthur vs. G. T. R.....	75	116, 134, 135, 136, 155, 174, 194 215,	233
4 per cent, 5, 10, 15 and 20 years.....	67	Attorney General vs. Manchester....	33	Rates in Collector's Rolls.....	208
4½ per cent, 5, 10, 15 and 20 years.....	86	Bethune vs. Welland.....	154, 173	Road.....	172
5 per cent, 5, 10, 15 and 20 years.....	106	Bryce vs. Loutit.....	113	Road Education.....	69
5½ per cent.....	147	Bryce vs. Woodstock.....	214	Improvement.....	72
Discretion.....	35	Burford vs. Chambers.....	114	Our.....	92, 112, 132, 152
Distance from Market, The.....	190	Capon vs. Toronto.....	114	The Perfect.....	89
Drainage Across Railway Lands.....	114	Consumers' Gas Co. vs. Toronto.....	193	Laws and Reform in Road-making.....	210
Drainage Act, The.....	13	Confederation Life Association.....	74	Material.....	132
1894.....	73, 93, 115, 133, 153, 173, 213	Confederation Life vs. Toronto.....	173	Stone.....	132
Drainage.....	51, 110, 130, 150, 170, 189, 212, 232	Cook vs. Tait.....	213	Rolling vs. Harrowing.....	150
Farm.....	90	C. P. R. vs. Tp. of Chatham.....	74, 154	School Law Amendments.....	108
Through.....	70	Christie vs. Corporation of Toronto....	14	Sewerage.....	231
The Poetry of.....	154	Re City of Ottawa Municipal Elections	33	Sewers.....	91
Editorial Notes.....	4, 46, 66, 147, 166, 186, 226	Re Cummings and Carleton.....	33	Sewerage Disposal, New Method of.....	71
Electioneering Pleasantries.....	17	Re Cuddy.....	154	Selection of Jurors.....	188
Electricity.....	69	Dixon vs. Crowland.....	133	Single Tax System, The.....	206
Electric Street Lighting.....	170	Ellice Tp. vs. Crooks & Hiles.....	13	Small-Pox and Board of Health.....	26
Equalization.....	86	Farquhar vs. Toronto.....	113	Snow on Roads.....	234
Example for Public Officials, An.....	236	Fitzgerald vs. Ottawa.....	173	Special Notice.....	236
Farmers and Good Roads.....	209	Gosfield vs. Mersea.....	153	Statute Labor System.....	7
Fire Fighting.....	230	Haggart vs. Brampton.....	214	Value of.....	7
Fishing for Bonuses.....	136	Hellems vs. St. Catherines.....	113	Storage of Rain-water from Roofs.....	131
Frontage.....	169	Hodgins vs. Toronto.....	154	Street Sanitation.....	148
Garbage Destructors.....	192	Hopkins vs. Trotter.....	214	Street Gradients.....	169
Good Investment, A.....	129	Jenkins vs. Tp. of Enniskillen.....	13	Taxation, The Principle of.....	67
Guilty Mayor, A.....	167	London West vs. Bartram.....	154	Taxes, Unpaid.....	136
Good Roads.....	171, 191	London West vs. Guarantee Co.....	214	Telephone and Electric Poles on Streets..	149
Alignment.....	9	Meek vs. Overholt.....	115	Tile, Stone and Timber Drainage Act	
Association, Ontario, Proceedings of		Merritt vs. City of Toronto.....	74	Amendment.....	106
Annual Meeting.....	48, 129	Morris vs. Huron.....	214	Township Council System, The.....	27
Broad Tires.....	53	Reg-exrel Moore vs. Nagle.....	114	Toll Roads Commission.....	136
Burnt Clay.....	31	McDermott vs. Tachsel.....	193	Act, A New.....	149
Cast Iron Culverts.....	29	McVicar vs. Port Arthur.....	114	Trees on the Highway.....	67
Charcoal.....	31	McFarlane vs. Miller.....	213	Voting at Nomination Meetings.....	68
Cinder Paths.....	111	Moore vs. Nagle.....	114	Warden, Election of.....	5
Cost of Construction.....	32	Newsome vs. Oxford.....	193, 214	Water—	
Drainage.....	9	Organ vs. Toronto.....	33	Purity of Drinking.....	26
Earth Roads.....	30	Port Elgin School Board vs. Eby.....	74	Supply.....	111, 191, 229
Existing Gravel Roads.....	52, 152	Regina vs. Justin.....	114	Pure for Cities.....	209
Grades.....	9	Robinson vs. Beecraft.....	74	What Destroys our Streets.....	232
Grading and Constructing of Roadways	9	Rokafski vs. Berlin.....	133	Why it happened.....	167
Loss Through Bad Roads and Gains		Schl. Sec. 5, Tp. Hullett vs. Lockhart	193	Why Municipal Reform is a Failure.....	177
Through Good Ones.....	7	Smith vs. Wentworth.....	114, 154	Wide Tires.....	151
Macadam Roads.....	31	Studd vs. City of Toronto.....	14	Connecticut.....	149
Maintenance.....	52, 152	Stevens vs. Moore.....	75	Wide Tire Logic.....	150

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## Patent Concrete Stone Gullies and Catch Basins.

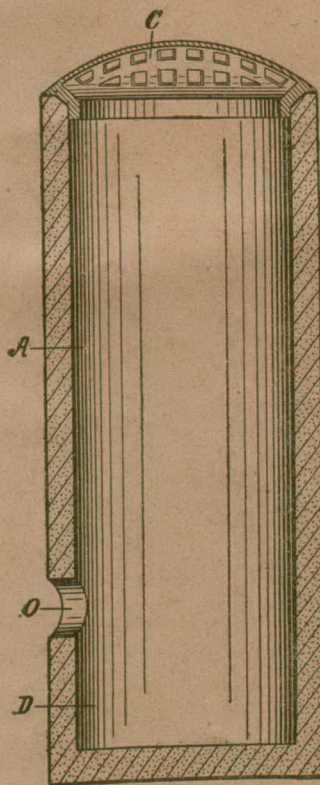
Extract from report of T. V. Hutchinson, Esq., Medical Health Officer, to the London Board of Health, on the North Catch Basin and Sewer Trap.

"I have made a careful examination of NORTH'S Catch Basin and Sewer Trap. It is made of Concrete, which becomes harder the longer it is in use. It has an automatic valve of iron, which is closed at all times to prevent the escape of sewer gas, except when water is flowing into the sewer. Three of these sewer traps have been in use in the city for some months, and so far no fault can be found with them. Of the sewer traps tried in this city, NORTH'S is the better one; it is less apt to get clogged or out of order; it is made of Concrete, which does not corrode, but on the contrary becomes harder with age. The valve can at any time be lifted out, without disturbing the basin, or a new valve placed in, by merely lifting the top off. Taking everything into consideration, I believe NORTH'S are the best, and besides being cheaper, will stand the test of time better than those made of iron."

The Board of Health, by resolution, unanimously recommended the City Council to adopt the NORTH Trap, for the City of London, for the reason, that it was cheaper than any other apparatus of a similar nature, and it was much more efficient.

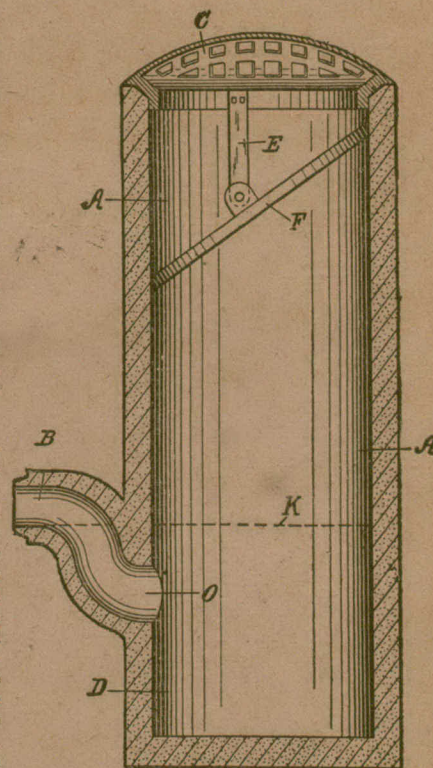
The manufacturer begs to call the attention of Sanitary Engineers, Health Inspectors, Boards of Health, and the public generally, to this Improved Concrete Stone Gully, or Catch Basin, which will obviate and completely prevent the escape of this foul air or gas at this point, as it will be impossible for said foul air or gas to escape through the water trap, as set forth in the patent for this invention. This trap is inclined towards the pocket, and is cleansed by the agitation of the falling water, which agitates and carries into the pocket any sand, stones or other refuse which may temporarily lodge thereon. If the pocket should become filled with heavy refuse, by removing the grate, said pocket can be readily cleaned. It is claimed for these Improved Concrete Stone Gullies, or Catch Basins, that they are superior to wood, because they will not corrode; that they are superior to iron, because they will not rot; that they are superior to bricks and mortar, because they will not be affected by frost and water passing through them. But, on the other hand, the action of the water will tend to petrify and harden these Improved Concrete Stone Gullies, or Catch Basins, and thereby improve them, and this petrification going on for a number of years makes these Catch Basins as hard as stone. In regard to Style No. 2, the standard size is 7 ft. 6 in. long. This gives 5 ft. 10 in. above the water line. If the drain did not admit of this depth, then the automatic valve would assist in preventing the water in the trap from freezing.

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