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MISSING

THE MUNICIPAL WORLD

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

Vol. 7. No. 7.

ST. THOMAS, ONTARIO, JULY, 1897.

Whole No. 79

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Calendar for July and August, 1897.

Legal, Educational, Municipal and Other Appointments.

JULY.

1. Dominion Day, (Thursday).
All wells to be cleaned out on or before this date.—Section 113, Public Health Act, and section 13 of By-law, schedule A.”
Last day for County Council to pass by-law that nominations of members of Township Councils shall be on last Monday but one in December.—Municipal Act, section 113.
Before or after this date Court of Revision may, in certain cases, remit or reduce taxes.—Assessment Act, section 67.
- Last day for revision of rolls by County Council with a view to equalization.—Assessment Act, section 78.
- Last day for establishing new high schools by County Councils.—High School Act, section 8.
- Treasurer to prepare half-yearly statement for Council.—Section 251, Municipal Act.
Treasurer to prepare statement of amount required to be raised for sinking fund to be laid before Council previous to striking annual rate.—Municipal Act, 1893.
5. Last day for service of notice of appeal from Court of Revision to County Judge.—Assessment Act, section 68
Make returns of deaths by contagious diseases registered during June.
7. The National Conference of Charities and Correction meets at Toronto.
14. Last day for completion of duties as Court of Revision in Shuniah.—Assessment Act, section 64, sub-section 19
15. Last day for making returns of births, deaths and marriages, registered for half-year ending 1st July.—R. S. O., chap. 40, section 6.
20. Last day for performance of Statute Labor in unincorporated townships.—Assessment Act, section 113.
31. Last day to which judgement on appeals, Court of Revision, may be deferred, except in Shuniah and other districts.—Assessment Act, section 68.

AUGUST.

1. Last day for decision by court in complaints of municipalities respecting equalization.—Assessment Act, section 79.
Notice by Trustees to Municipal Councils respecting indigent children due.—Public School Act, section 62 (8); Separate School Act, section 23 (13).
Estimates from School Boards to Municipal Councils for assessment for school purposes due.—High School Act, section 14 (5); Public School Act, section 92 (9); section 107 (10); Separate School Act, section 28 (9); section 32 (5); section 55.
High School Trustees to certify to County Treasurer the amount collected from county pupils.—High School Act, section 14 (9).

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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.

J. M. GLENN, LL.B.

Associate

Editors

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

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THE MUNICIPAL WORLD,

Box 1252, St. Thomas, Ont.

ST. THOMAS, JULY 1, 1897.

The Barrie town council propose amalgamating the offices of clerk and treasurer.

* *

The county council of Victoria will purchase a stone crusher, to be rented to the townships.

* *

The county council of Kent have appointed a committee to select a site for a house of refuge and report at the December sessions.

* *

The Oxford county council have appointed a commission to ascertain the value of the toll roads in the county, and report on all matters necessary to the purchase of the roads and abolition of the tolls.

* *

We notice that some councils have limited their official's office days during the months of July and August, while others have granted them leave of absence for a month or more. This is a proper recognition of efficient services at a time when most appreciated.

* *

The county councils of Northumberland and Durham have changed the rules and regulations governing their proceedings. One innovation is that when the warden enters the chamber, the members shall rise and remain standing until he takes his seat. The time for receiving nominations for warden is limited to fifteen minutes. This is a matter that should regulate itself, and be determined by the county clerk, acting as chairman. A council has a right to make regulations for its own proceedings, but such regulations can apply only to the council after its organization, and not to a body which is not a council in the legal sense until it is formally organized by the election of the warden.

County Treasurer S. J. Sanford, of Barrie, is the latest defaulting treasurer. The county council will now have an audit to ascertain how much they lose. This will extend over Mr. Sanford's term of office. The auditors are Mr. McEachren, of Elmvalle, and Provincial Auditor Laing.

* *

The municipal deputations to Toronto and Ottawa have been quite as numerous as in former years. We notice that a number of civic deputations on corporation business were in Toronto during the race meeting in May, and that their stay was prolonged for reasons contained in reports presented with bill of expenses incurred.

* *

The county council of Kent has made an arrangement with the police magistrate of the city of Chatham to act for the county. Police magistrates, under salary, usually confine themselves to cases belonging to the municipality paying them, although their jurisdiction extends over the county. The Kent council has secured the services of an experienced magistrate at a nominal salary of \$100.

* *

The chairmen of two of the committees of a city council, at a recent session, presented their reports, and then complained that they were not correct, and proceeded to find fault with an official who had been obliging enough to prepare the reports which they had signed. The effect was to enlighten the public as to their incapacity, and direct attention to the fact that officers of a council generally do a lot of work for which the people's representatives with no experience take credit.

* *

The town engineer of Peterborough undertook to inspect the sidewalks on his bicycle, and had a charge laid against him for so doing. The council refused to exempt him from the provisions of their by-law. Sidewalks cannot be more efficiently inspected than when on a bicycle, and there should be no objection to the official in charge performing this duty once or twice a year on his bicycle, on such days as may be appointed by the council.

* *

There is a great difference in township regulations requiring fenceviewers, poundkeepers and pathmasters to take the statutory declaration of office. The township council of Downie ordered that each of these officers must make his declaration of office before a justice of peace or clerk of the municipality or a fine will be imposed according to township by-law, and that the mere signing of name to declaration and returning same to clerk is useless, and will not be accepted. Declaration of office can only be made before clerk, reeve or a justice of peace having jurisdiction in the municipality.

The warden of Essex at the opening of the June session of the county council made the following suggestion in reference to the printing of auditors' reports, which in his opinion do not receive full consideration when brought before the council five months after the close of the year. "It would be much better if the auditors could be continued in office in order to make their audit to the 31st of December (early in January) so that their report could come before the council at the session held at the end of January; everything then would be fresh and the council would be posted before commencing the business of the new year with every item spent to the end of the preceding year."

* *

The Renfrew county council passed the following resolution at its last session: "That in the opinion of this council it would be much better if each county councillor had a seat at all of the township councils within his division, without voice, so that he would be more in touch with the workings of each municipality that he represents as such councillor." We do not think that any local council would object to county councillors taking a seat at the council table with them, provided they were not required to remunerate them for the honor conferred. County councillors should endeavor to become acquainted with members of the local councils, and the requirements of each municipality in their districts.

* *

The Welland county council have fixed the fees for services under the County Councils' Act, as follows:

Nominating officers, for all services.....	\$8 00
Deputy returning officers.....	3 00
Poll clerks.....	1 50
Constable.....	1 00
Municipal clerk, for extra services.....	4 00
Rent of polling booth.....	4 00

It would appear from the County Councils' Act that the councils of local municipalities should fix the remuneration of the deputy-returning officers and other expenses connected with the poll, and that in case of dispute between the local municipality and the county the difference between them is to be settled by the county judge.

* *

The frightful waste of life and of money in Bombay due to municipal filth and carelessness with the beginnings of epidemic outbreaks, should have many lessons for some of our own cities where the disposal of excreta and other wastes is far from being systematic, where a sewage-polluted water supply is in use, or where the prompt and efficient control of infectious diseases does not prevail. Every little while there is an awakening in some of our towns, when the inevitable bills for hundreds of dollars come in for wasted money, and time, and lives. The cost of fairly efficient local public health work should be regarded as the necessary payment of the premiums on a municipal health assurance policy.

Municipal Officers of Ontario.

Warden County of Victoria.

Dr. Wood's whole life and career has been associated with the county over which he now presides as warden. He was born at Fenelon Falls and is the eldest son of the late William Wood of Omemee. He was educated in the Omemee High School, and took his professional course in Victoria University, graduating in medicine in 1871. After some three years practice at Janetville he removed to the village of Kirkfield, where it may be said his public career had its origin. His first venture in municipal politics was his election to the council of the township of Bexley. In 1891 he was elected deputy-reeve of the township of Eldon, and the following year he was



JOHN W. WOOD, M. D.

advanced to the position of reeve, in which capacity he was returned year after year, and was a popular member of the old county council. In the recent election he was again successful, being placed at the head of the poll by a large majority for his District. The warden is well and favorably known. In politics he is Conservative, and his name is frequently mentioned as a desirable candidate in Provincial and Dominion elections. He is one of the most fluent platform speakers in the county, and socially stands high with all who have the pleasure of his acquaintance. Every public enterprise has his hearty support, and finds him doing all in his power to further the various schemes in the public interest.

Mr. Michael Flanagan, city clerk of Kingston, died on the 21st June, after an extended illness. He was appointed in 1843. A photo and short sketch of his life appeared in the May issue of the WORLD.

Clerk Township of Nottawasaga, Simcoe Co.

Mr. Angus Bell was born in the Highlands of Scotland eighty years ago and



MR. ANGUS BELL.

was appointed Township Clerk in January, 1850, and has held office continuously since that time. In addition to his municipal duties Mr. Bell is also a Notary Public, Conveyancer, Commissioner in H. C. J., Coroner for Simcoe and Grey, and Issuer of Marriage Licenses.

Clerk Township of Osgoode, Carleton Co.

Mr. F. Iveson was born at Rochdale, Lancashire, England, came to Canada



MR. F. IVESON.

with his parents in 1851 and was educated at the old Metcalfe grammar school.

He is a harness-maker by trade and since 1870 has been operator for the Montreal Telegraph Co. and their successors—the G. N. W. Co. In January, 1895, he was appointed Clerk of Osgoode.

Clerk and Treasurer County of Victoria.

Mr. Matchett is of Irish descent and was born in the Township of Cavan, County of Durham, Ontario, in the year 1826. He received his education in the schools of his native township and the town of Peterborough. He set out early to make his own way in the world. After spending several years in the general store of the late John Knowlson in the village of Cavan, where he also acquired a knowledge of the drug business he began trade on his own account in the village of Omemee in the County of Victoria in the year 1846. During nearly thirty years' residence there, besides conducting a successful business, he held the



MR. THOMAS MATCHETT.

offices of Clerk of the Division Court and Treasurer of the Township of Emily. At the first general election following Confederation Mr. Matchett was elected by acclamation to represent the riding of South Victoria in the Legislative Assembly as a supporter of the Government of the late John Sanfield Macdonald, and sat during the first parliament. On the resignation by the Hon. S. C. Wood of the offices of Clerk and Treasurer of the County of Victoria in 1875 to enter the Ontario Government Mr. Matchett was appointed his successor.

The arbitrators in the matter of the expropriation of the plant system of the waterworks company by the corporation of the town of Cornwall, have made an unanimous award placing the value of the plant and system at \$78,620, which, with the 10 per cent. allowed by law, brings the expropriating price up to \$86,491.73. The cost of the arbitration will be about \$8,000.

An Act Respecting Roads Laid out Along Side Lines in Certain Townships.

1. (1) In any township in which the concessions have been surveyed with double fronts, that is, with posts or monuments planted on both sides of the allowances for roads between the concessions, and the divisions or side lines have been drawn from the posts at both ends to the centre of the concession, in case the lines so drawn do not meet, and road allowances have been laid out along such lines, the council may, by by-law, provide for the opening and laying out, upon a survey made by an Ontario land surveyor, to be named in the by-law, of a roadway joining the ends of such road allowances, and the centre of such roadway shall be determined by a straight line drawn along the centre of the concession between the ends of such road allowances, unless it shall appear to the surveyor that any other line would be more suitable, according to the circumstances of the case, and the surveyor shall determine the compensation to be paid to persons whose lands may be taken for opening and laying out the said roadway, and the amount so determined shall be paid to such persons by the municipal corporation of the township.

(2) A copy of the by-law shall be served upon all persons over whose lands the proposed road will pass, and any such person desiring to object to the surveyor named may, within one month after service of the by-law, serve on the clerk of the municipality and on the other person interested, a notice of objection to such surveyor, together with an appointment returnable before the county judge.

(3) Upon the return of the appointment the judge of the county court of the county, after hearing all parties concerned, may confirm the appointment of the surveyor named in the by-law, or may name and appoint some other Ontario land surveyor to carry out the terms of the by-law, and the Ontario land surveyor so appointed shall act in the place and stead of the surveyor named in the by-law.

An Act to Amend the Act to Regulate Travelling on Public Highways and Bridges.

1. Section one of the act entitled An Act to Regulate Travelling on Public Highways and Bridges, being chapter 195 of the Revised Statutes of Ontario, is hereby amended by adding thereto the following sub-sections:

1a. In case a person travelling or being upon a highway in charge of a vehicle as aforesaid meets a person travelling upon a bicycle or tricycle he shall where practicable allow the person travelling upon a bicycle or tricycle sufficient room on the travelled portion of the highway to pass to the right.

1b. In case a person travelling upon a highway on a bicycle or tricycle overtakes any vehicle as aforesaid or horseman travelling at less rate of speed, or a person travelling on foot, the person so travelling on a bicycle or tricycle shall give to the other person audible warning of his approach before attempting to pass.

1c. In case a person travelling or being upon a street or highway on a bicycle or tricycle is overtaken by any vehicle as aforesaid or horseman travelling at a greater speed, the person so overtaken shall quietly turn out to the right and allow the said vehicle or horseman to pass and the person so overtaking the bicycle or tricycle shall turn out to the left so far as may be necessary to avoid a collision.

1d. In case a person travelling upon a bicycle or tricycle in cities of over one hundred thousand inhabitants in a northerly or westerly direction upon the central strip between the double tracks of a surface railway meets another person on a bicycle or tricycle travelling in an opposite direction he shall turn out to the right, allowing to the bicycle or tricycle so travelling south or east the whole of such central strip.

An Act Relating to Bicycle Paths.

1. The Consolidated Municipal Act, 1892, is amended by adding the following section:

The council of every county, township, city, town or incorporated village may pass by-laws for setting apart so much of any highway or road or street as the council of any such municipality having control over such highway, road or street may deem necessary for the purposes of a bicycle path and if a person rides or drives a horse or other beast of burden over such bicycle path he shall incur the penalties imposed by the Act to regulate travelling on public highways and bridges.

A Special Investigation.

A. C. Neff, F. C. A., was appointed by the Lieutenant Governor commissioner to investigate the financial affairs of the township of Ellice. The *Stratford Herald* says:

It is understood that Mr. Neff, in his capacity as commissioner, has considerable powers, approaching those of a magistrate. Thus he can hear the evidence of witnesses while under oath, can fine those who refuse to obey his injunctions in the course of the investigation, and has unquestioned access to all documents relating to the township.

The dispute is one of long standing, and it is, perhaps, as well that it should be settled once for all, so that the constant recriminations which have been passing from side to side for so lengthy a period should come to an end. It is to be hoped that the investigation may clear everything up, that the ratepayers of the township may be once more united, and, by all striving together, work for the well being and advancement of the township.

National Conference of Charities and Corrections.

We would remind our readers of the National Conference of Charities and Correction which meets in Toronto. This influential body has been in existence for nearly twenty-five years, but has never met in Canada. The Toronto meeting will last six or seven days, commencing with a meeting of welcome Wednesday evening, July 7th. The business proper will commence on Thursday at the Normal School buildings. We would direct special attention to the early morning meeting on Friday the 9th, from 7.30 to 10 a. m., which will be devoted to the important question of municipal and county charities. We trust the municipalities and the counties of Ontario will be well represented at this conference. It is desirable that a similar organization for the province of Ontario should be formed, and that each county should be represented.

A Matter of Business.

Servant (from next door)—Please, mum, missus sends her compliments, and will you be so kind as to sing and play the piano this afternoon?

Lady—Certainly. Tell your mistress I'm glad she likes it."

Servant—Oh, it isn't that, mum; she's expecting the landlord, and she wants some excuse for asking a reduction of the rent.

The Positive Value of Quiet and Beautiful Streets.

Mr. J. W. Howard contributes an article to the "Engineering Magazine" for March on "The Positive Value of Quiet and Beautiful Streets." A series of illustrations showing the condition of a number of typical streets in foreign and American cities enforces the many valuable suggestions made in the text. The narrow, muddy, germ-laden streets characteristic of Turkish, Spanish and South American cities, are contrasted with the best examples of street making in the most progressive European and American cities. Not the least valuable of Mr. Howard's suggestions is that relating to the employment of expert talent by cities to supervise the paving and care of streets.

"Street engineers of true worth are as much needed as bridge, sanitary, hydraulic, landscape, and other engineers. All are sub-divisions of civil engineering. Such men are steadily replacing mere politicians and the ignorant and apathetic employees of cities or contractors. They accomplish maximum results with minimum expense. They unite theory and practice of the past and present. They have access to the recorded experience of others, and thus avoid useless experiments.

The results tell the story. Compare the new asphalt and granite pavements of New York with those of 1887. Examine the streets of Washington, Paris, London, Berlin, and a few other cities, and you will find the good results of honest administration, with trained men in charge of pavements. Every thinking man can name other cities where the poor pavements indicate either that honesty is not present, or that trained, educated men are not in charge of street construction."

F. B. Foster, of Culloden, was fined at Ingersoll a few weeks ago for a violation of the Vital Statistics Act. Sections 21 and 23. He pleaded guilty and paid \$5 and costs, amounting in all to \$20.52.

Drainage is the most important matter in road construction; a water-logged foundation cannot support the toughest metallings. A theoretically perfect road would run along a ridge from which sub-water and storm water would naturally be shed. This is artificially obtained by side ditches and under-drains, the storm water being disposed of by crowning the surface, slight longitudinal grades, and the maximum exposure to wind and sun. Were road improvement to become general, men would probably be found to adopt ditching as a means of livelihood, and this important matter be in the hands of skilled labor. Metalled road surfaces resist the penetration of water, and their hard surface retaining its crowning, storm water is easily passed to the ditches.

ENGINEERING DEPARTMENT.

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

Victorian Highways.

Innumerable projects were suggested for loyally celebrating the completion of the longest reign in English history, and for congratulating our Sovereign Lady upon the occasion of the sixtieth anniversary of her coronation. There was a Jubilee Casket, Victorian Order of Nurses, a Jubilee Military Contingent, and Canadians in many minor ways, duly exhibited their appreciation, as a part of the British Empire, of the prosperity which has rested upon us for the period of six decades, marked at its close by the 22nd day of June last. For the most suitable means of attesting the popularity of our Queen, fertile imaginations were for a twelve month preceeding, producing a harvest of ideas and suggestions of quite wonderful luxuriance. But no one was sufficiently commonplace to advise that, as a tribute to Her Majesty, we pay an honest debt of study, labor and expenditure to the construction of the Queen's highway.

Canadians do not attach sufficient importance to the public roads. They were pre-eminent among the works of the Romans, vast sums were spent then upon them, only nobles of the highest rank were eligible to the work of superintending them, the Emperor Augustus himself taking charge of them during his reign. Roman roads, such as the Appian Way, the Flammian Way, the Domitian Way, were often named after the emperors.

To have established a network of Victorian Highways throughout the province, would have been a royal gift, the evidence of true loyalty. But Canadians have become so accustomed to thinking of roadmaking as an amusement, that any proposition leading to serious road reform would be regarded as unjustifiable tyranny. Our Sovereign Lady has retained a very small proportion of the soil of Canada, for use as highways. They are retained by the Crown merely in trust for the people. Royalty very rarely has occasion to use the roads of this province and yet the people who do use them very extensively appear to be waiting for Her Majesty to come along with a spade and a wheel-barrow to improve the roads herself. In the meantime the people are cutting up the roads with narrow tires, piling up the centre with the best of mud-producing materials, digging trenches that will catch and hold the water to aid in the mud-making process, and enjoying themselves at a sort of imitation road-making.

The work of McAdam commenced in England about 1816, and the greater part of the magnificent system of highways which now characterizes the rural districts of England are the products of the Victorian age.

McAdam found in England a system of roads rivalling in impassibility those of Canada. But he dug up the beds of stone which composed the roads, some of them two and three feet in depth, separated the stone from the dirt mixed through them, broke the stone into fragments, thoroughly drained the soil and then relaid the metal in such a way as to produce a strong, compact support for traffic. The most important of the principles insisted upon by McAdam were the use of clean metal, composed of small angular stones; and thorough drainage, both surface drainage and under-drainage.

It is doubtful if there is a mile of true macadam road in Ontario, outside of a few towns and cities. There are miles of road which are covered with dirty gravel or rough broken stone, and are popularly supposed to be macadamized, but they more nearly resemble the roads McAdam found in England three quarters of a century ago, the kind he removed, rather than those he constructed.

A century ago, the roads of Ontario, such as existed, and they were very few, were mere trails. To-day notwithstanding the amount of money and labor placed on them, the majority are little better than trails. This criticism may seem overdrawn to those who drive over some of the best gravel roads during the summer season; but if the journey had been made in the fall or spring, the rainy seasons, its fairness would become more apparent. Almost any dirt road, even a primitive wagon track, is good while in a dry state. We macadamize roads in order to make good wet weather roads. That the methods at present pursued in Ontario, fail to accomplish this, is all too apparent.

While the majority of highways of Canada are strikingly like the trails from which they have sprung, nevertheless we have highways which are of surpassing magnificence. The Canadian Pacific Railway spanning the continent, is in extent, daring and durability of construction, unequalled in the world. The populous districts of Canada are covered with networks of steel; while other lines are being projected wherever opportunity presents itself. But while capital has exhibited so much enterprise in providing the great lines of commerce, the lesser routes have been overlooked and neglected. Common highways, while less in extent and cost, are not one whit less in importance. Over them must first pass all the freight which feeds the greater railways, and it is this first cost of transportation which so enormously increases the cost of production, and lessens our ability as a country to compete in the markets of the world. The improvement of country highways is an investment, not a tax, and will be a most profitable one, commercially and socially.

In this year of Her Majesty's Diamond Jubilee, when wishing our Queen length

of life, happiness and prosperity, it is not unprofitable to look back for a moment on the jubilee caskets, Military contingents, services, illuminations and processions, and suggest that in the near future, we honor the Queen with a system of Victorian Highways, such as will rival the royal ways of ancient Rome.

Cost of Electric Railways.

It is difficult to assign any average value to the cost of electric railway construction and operation as circumstances are so variable. For suburban and interurban electric railways, track construction such as is usually employed in Ontario may range from \$5,000 to \$20,000 per mile according to the difficulty of the undertaking. The former figure, \$5,000 per mile of single track, is reached only by the use of very light T rails, with little grading, no paving and with cross-tie work. A single safer estimate for a good track of serviceable design with a margin for bridges had better be placed at \$10,000 per mile. The cost of overhead wiring may be stated at \$1,800 per mile, the earth circuit \$500, the poles in place \$500, making a total for track construction of \$12,800. If the right of way, or franchise has to be purchased, this will have to be additional.

For each car operated on the road, the electric station should provide an average of fifteen horse-power. Each horse-power will cost about \$80 making a total per car of \$1,200.

Each car with electrical equipment will cost about \$2,800 and for such roads as are operated in the rural districts, one car for two miles of road will be sufficient.

Combining these various items, the cost per mile of track construction and equipment would be as follows:

Track construction per mile.....	\$12,800
Station equipment per mile.....	600
Car equipment per mile.....	1,400

Total per mile of track and equipment...\$14,800

The cost of operation is difficult to state, but may be roughly expressed as ranging between 15 cents and 25 cents averaging 20 cents for each mile a car runs, including cost of repairs, depreciation, employees, power delivered on the line, and general expense.

With one car running each way every hour for ten hours each day, and for 313 days, the expense per mile of track would be \$4 per day or \$1,252 per year. With profits at 4 per cent. on the investment, the income necessary from one mile of track and equipment would be \$2,140 annually.

The Government of Nova Scotia will, as an educational measure, purchase an outfit of roadmaking machinery, to be operated in different parts of the Province, more especially in the vicinity of Halifax.

Cement-Concrete Sidewalks.

In connection with the improvement of streets, there is a wide-spread tendency to replace wooden sidewalks with others of more permanent material. In fixing the grades, it will generally be necessary to undertake the construction of the entire street—roadway, sidewalks, boulevards—if the best results are to be attained, and for the purpose of economically and easily handling the excavated earth. Wooden sidewalks are lacking in durability, need constant attention to keep them in a safe condition, are not agreeable to walk on when a little worn, and, if good workmanship and material is obtained, will in their ultimate cost be found more costly than those of cement-concrete.

In constructing this class of walk, the space over which it is to be laid should be excavated to a depth of 12 inches below the top of the proposed walk, perishable material being removed to a greater depth if necessary. The bottom of the excavation thus prepared is compacted by pounding or rolling until as firm as possible.

On the bed so prepared, a layer of clean gravel or broken stone, is spread to such a depth as will give, on thorough consolidation, a thickness of 7 inches. Temporary curbs of pine should then be set on each side of the excavation, to be removed after the walk has hardened.

On this foundation, and in the mold formed by the curbs, is placed 4 inches of concrete, which should be composed of small, broken stone, of a size not greater than $1\frac{1}{4}$ inches in any direction, and entirely free from dirt or dust; clean, screened gravel, sharp sand, and Portland cement. This should be thoroughly rammed, and may be of the following composition: Cement, 1 part; broken stone, 5 parts; clean gravel, $2\frac{1}{2}$ parts.

Slab or flag divisions are then marked off from 16 to 20 feet in length. This provides for settlements, expansion and contraction from frost, and lessens the tendency of the walk to crack irregularly from these causes. The joints should be filled with sand or other approved separating material.

Before the concrete has set and while it is still adhesive there should be laid on it a wearing surface one inch in thickness. This surface coating may be composed, if a sand finish is desired, of: Portland cement, 2 parts; Sharp sand, 3 parts.

Over this should be sifted a layer of the best Portland cement, the whole to be then leveled, neatly trowled, and rolled with a tooth roller to make a surface which will not be slippery. A more durable surface coating, known as granolithic, may be had by using broken granite in place of the sand. This broken stone should have a square or cubical fracture, be clean and fresh, and of sizes three-eighths of an inch downward. The composition thus will then be: Portland cement, 2 parts; broken stone, 3 parts.

The work should be kept moist, and protected from the direct rays of the sun, with canvas, until thoroughly set. Traffic should be kept off for a period of about fifteen days.

The various parts should be measured and mixed when dry, water then added as required, and the whole again thoroughly manipulated and mixed. There is a great necessity for careful and experienced workmanship, and an experienced man should have charge of the work.

If the subsoil is of a nature to retain water, is low-lying and not sufficiently underdrained, a line of common field tile should first be placed below the centre of the walk. The surface of the finished walk should have a slope toward the gutter of one-quarter inch to each foot of width.

When these walks are built by a contractor he should be required to guarantee that the walk shall last and remain in all respects in perfect order and condition, and free from all cracks and defects, and of perfect hardness, consistency, smoothness and finish, for at least the term of five years from the date of its completion, unless subject to other influence than the ordinary effects—wear and weather.

Natural Gas in Ontario.

The Geological Department at Ottawa has recently issued a report on the natural gas industry, for which the outlook appears of an uncertain character. While the wells in Essex County do not show any marked decrease in pressure, it is pointed out that it is only recently the consumption has been extended beyond the immediate locality in which the wells are situated. Of twenty-six wells drilled, sixteen are in active operation. In the Welland district, from which Buffalo is supplied, the situation assumes a different aspect. Regarding these wells, the report says:—According to the opinion expressed by several of the leading authorities on the subject, it would appear to be merely a question of a few years before the gas supply in the Welland field will be exhausted, at least for commercial purposes, though a small flow may continue for a much longer period, which will be of service for domestic uses to farmers and others with wells on their premises and requiring only a very limited supply. In support of their opinion, mention may be made of the Provincial Company's well, No. 63, drilled in 1893, which yielded, when the gas was struck, a flow of 10,000,000 cubic feet of gas per day. The flow from this well has now decreased to such an extent that it does not produce 400,000 cubic feet in the same time, although it has, in the interval, been several times fed from other wells.

The township of Madock, Hastings County, is said to receive an income from an iron mine situated under a county road.

Specification for Drilling a Gas Well.

Specifications for work of this description are so novel that we reprint portions of one lately prepared by Mr. C. D. Hilles, secretary of the Board of Trustees of the Boys' Industrial School, near Lancaster, Ohio, for the drilling of a gas well at that institution.

The bids were to cover all material and labor for the drilling, anchoring and completion of a gas well, including the carpenter rig, drive-pipe and shoe, casing, tubing, packer, gate-valve, anchor and all other material and labor necessary to insure a complete job. A certified check of \$1,000 was to be deposited as a guarantee that the successful bidder would commence work in ten days after the signing of the contract, and a bond was required equal to fifty per cent. of the contract price for the faithful performance of this work. The "general conditions" further provide that the trustees may have free access to the well at all times and have power to reject inferior material and dismiss objectionable workmen. After the 5-inch casing had been placed in the well all of the salt water was to be baled out and work stopped for twenty-four hours to test the exclusion of water. The specifications read as follows:

The bidder must guarantee

1. That the labor will be performed in a workmanlike manner, and that the material used will all be new and first-class.
2. That he will case off all fresh water with 13-pound $6\frac{1}{4}$ -inch standard casing.
3. That he will use 8-inch drive-pipe to the first rock.
4. That he will case in the well to within 60 feet or less of the gas rock with 15 pound 5-inch standard casing, perfectly shutting off all salt water.
5. That he will tube with 3-inch standard tubing.
6. That the gate valve he will furnish will be such as the trustees or their agents direct them to purchase.
7. That he will pull all $6\frac{1}{4}$ -inch casing at the completion of the well, if the trustees so order, free of cost to the trustees.
8. That the well will be drilled through the Clinton rock, and if trustees so order, will be drilled 10 feet below said rock.
9. That after the penetration of the Clinton rock, if the well is a dry hole and is abandoned by the trustees, the contractor will draw all casing and plug the hole to the satisfaction of the board or its agents.
10. That when the contract has been completed and the well accepted or abandoned, the carpenter rig, etc., shall become the property of the Boys' Industrial School.

The contract for this gas well was secured by Stretton & Marks, of Lancaster, Ohio, for the sum of \$3,500.—*Engineering News.*

Wooden Pavements.

That wooden pavements are increasing in favor in European cities is, on first sight, a matter of some surprise to Canadians and residents of many parts of the United States. It was about ten years ago that the rage for cedar block pavement attacked us in full force, and the result is with us still in the shape of town and city streets beside which a corduroy road is a luxury. It was then believed that the ideal pavement had been reached. It was comparatively cheap. Contracts were let at very low rates, and even at these prices the contractors became rich. Many a contractor looks back upon the days of cedar block paving as the harvest of a lifetime. Nor is it to be wondered at that the reward of contractors was considerable. The method of constructing these pavements was to level the street, excavate it to a suitable depth, and without drainage, without foundation, without even first consolidating with a heavy roller, the cedar blocks were placed on the natural soil, and the interstices were filled with sand. The blocks themselves were merely the round sections of the trees, still retaining the bark.

European practice is very different from this, and while a wooden pavement on this continent calls up pictures of desolation and bacteria, the wooden pavements of London and Paris are there considered the height of luxury. The methods of construction under European practice are vastly superior to those which governed the laying of our cedar block pavements. Better material is used. Much that has been employed in London has been Baltic, Swedish or Memel deals. Many other kinds of wood have been used, but it is in every case carefully selected. Of later years Australian hardwoods have been increasing in popularity, chiefly jarrah and karri (eucalyptus), of which there are now about twenty miles in London alone. These woods are cut into oblong wooden blocks, are laid on a carefully prepared foundation, and the joints are properly closed with various compositions of pitch, cement, asphaltum, etc.

A deputation of the Edinburgh Council recently looked into the use of wooden pavements, and as a result of their investigation conclude that Australian hardwoods possess valuable and peculiar qualities, rendering them, so far as present experience goes, very suitable for street paving. No specimens examined by the committee presented any appearance of decay or rot. Street paving with hard wood they considered of the nature of a luxury in view of the cost. The value of hard woods they found to consist in the comparative noiselessness, smoothness, and therefore ease of traction and cleansing facilities. In the course of their inquiries, the deputation everywhere met the remark that there was no higher evidence of the taste, refinement, enterprise and intelligence of a community than well-paved streets.

The wooden pavements are favored most on streets where traffic is greatest. London merchants desire it because of the lesser noise created. What would be a deafening din on granite sets becomes a muffled roar on wooden blocks. The streets of Sidney, New South Wales, on which wood is used extensively, are considered by experts to be unequalled anywhere in the world. There black butt and tallow wood, timbers indigenous to the colony, are chiefly employed, and are considered in many respects equal, or even superior to the jarrah and karri of West Australia. The cost of these hardwood pavements in London is about \$2.65 per square yard. Baltic deals cost about \$1.68 per square yard. But it is believed that the life of the Australian woods will be more than twice as long as the timbers which they are displacing. A section of Westminster Bridge road has been paved for eight years with jarrah, and is still in good condition, the annual wear having been only about one-fifth of an inch, under incessant traffic. Chapel street, paved with Baltic deals, needed paving after four and one-half years of service.

It has been fully demonstrated to the Canadian that cedar is not a suitable material for paving purposes. While there has been very little actual experiment, it is doubtful if there is any timber growing in this country which can be used to advantage. Had pine been used instead of cedar, with proper attention in its selection and treatment, there is considerable probability that our experience with wooden pavements would not have been so disastrous. But pine is a soft wood, and will quickly present an uneven surface under wear. A hardwood having the preservative qualities of pine would probably meet our requirements, but this we do not possess.

Canadian Cement.

We are pleased to observe that the Dominion Government recently awarded a contract for 20,000 barrels of Canadian native cement. The quality of both the native and the Portland cement manufactured in Canada has been proved beyond question. Consequently, no satisfactory reason can be given for the large yearly purchases of foreign cement which have hitherto been made by the Government for use in Dominion public works. Because of the partiality thus shown for the foreign article, the Canadian cement industry has, to a large extent, languished and proven unprofitable. An English contemporary, the *Builder's Reporter*, in discussing this subject in a recent issue, has obtained an entirely wrong view of the situation, and, in consequence, makes improper deductions, as follows:

"Canada has to depend mainly on imported cement. During the year 1895, out of 255,000 casks which were used no less than 223,000 casks were imports.

England supplies about 45 per cent. and Belgium 25 per cent. Up to March, 1866, the duty was 20 per cent. of the value; now it ranges from 33 per cent. to 52 per cent. In some cases the duty is found to exceed the cost of the cement. In consequence, an immense quantity of inferior cement is employed in Canada, and ordinary mortar is substituted for cement. Protection may have its advantages in a country like Canada, but if within a few years bridges on railways and roads and other public works can no longer exhibit sound masonry, the costs of repairs will be more than an equivalent for any gain derived from an excessive tariff. If Canada cannot produce cement there is no native industry to be protected, and therefore, for the sake of a fiction, the country is saddled with the expense of upholding a kind of construction which would not be tolerated in Great Britain."

Our contemporary is entitled to pardon for having assumed that the large importations of foreign cement are due to the fact that Canadians did not know how to manufacture the article in a satisfactory manner. The large extent to which foreign cement has been used in our public works would naturally convey this impression to the mind of an outsider. There is, however, no ground for the conclusion. On the contrary, recent tests have shown the home-manufactured article to be superior in some instances to the imported one. We are pleased to see that the present Dominion Government has shown a disposition to recognize this fact. There is an abundance of the requisite material in Canada for the manufacture of both native and Portland cement. As the result of experiments carried on for a number of years the requisite knowledge of methods has been gained, and if assured that the merits of the home article will in the future receive fair consideration, we have no doubt that the number and capacity of the Canadian manufactories in this line would be increased to the extent necessary to meet all the demands of the market. This, in turn, would lead to further investments of capital in the industry, larger employment of skilled and unskilled labor, and the circulation at home of the large sums of money which have hitherto been yearly sent abroad to purchase the product of foreign manufactories. — *Architect and Builder*.

In Nova Scotia statute labor has always been in force, the assessment being made by the Provincial Government, which also voted sums to be disbursed by members for various countries. Pathmasters were appointed by the Quarter Sessions composed of county magistrates. The County Incorporation Act of 1878 vested the control of roads in the county council. Government grants are expended by the council, who appoint an overseer for each section. This officer has also charge of the statute labor.

Portland Cement.

Portland cement derives its name from the resemblance which hardened mortar made of it bears to a stone found in the Isle of Portland, off the south coast of England. It is manufactured in those rare cases where rocks are traced which contain combinations of lime and silica of alumina in the chemical proportions and physical condition found necessary for producing artificial Portland.

Fully ninety-five per cent. of all the Portland cement at the present day is artificial. It is made by thoroughly mixing together, in suitable proportions, clay and finely pulverized carbonate of lime (either chalk, marl, or compact limestone) burning the mixture in kilns at a high temperature, and then grinding the burned product between ordinary millstones. The result is an impalpable dense, drossy, steel-hard powder, having a specific gravity of 3.0 to 3.15. A few weeks storage seasons the powder and makes it ready for use.

Color.—The color should be a dull, greenish gray, caused by the dark, ferruginous lime and the intensely green manganese salts. Any variations from this color indicates the presence of some impurity; blue indicates an excess of lime, dark green, a large per centage of iron; brown, an excess of clay, a yellowish shade indicates an under-burned material.

Fineness.—It should have a clear, and almost floury feel in the hand; a coarse, gritty feel denotes coarse grinding. The fineness should be such that 80 per cent. will pass through a sieve of 2500 meshes to the square inch.

Weight.—It should weigh from 84 to 88 pounds per cubic foot. A cement weighing from 70 to 80 pounds per cubic foot is invariably a weak one, though it may be of the requisite fineness; at the same time a heavy cement if coarsely ground is also weak and will have no carrying capacity for sand.

Light weight may be caused by laudable fine grinding, or by objectionable under-burning. In testing, weight and fineness must be taken in conjunction.

Specific Gravity.—Between 3 and 3.05. As a rule the strength of Portland cement increases with its specific gravity.

Tensile Strength.—When moulden into a briquette and placed in water for seven days it should be capable of resisting a tensile strain of from 300 to 400 pounds per square inch.

Setting.—A pat made with the minimum amount of water should set in not less than three hours nor take more than six hours.

Expansion Contraction.—Pats left in the air or placed in water should, during or after setting, show neither expansion nor contraction, either by the appearance of cracks or change of form.

A cement that possesses the foregoing properties may be considered a fair sample of Portland cement and would be suitable for any class of work.

Portland cement, although the best ma-

terial that can be used as a cementing medium, should not be used by any one who is not prepared to take the trouble and incur the trifling expense of testing it; because if manufactured with improper proportions of its constituents, or improperly burnt it may do more mischief than the poorest lime.

A Township of York By-Law.

Secs. 1 to 5 of a recently passed by-law of the township of York read as follows:

1. That no foreman appointed by the township engineers under by-law No. 1,634 shall undertake any work without direct instructions from the said engineers, nor shall any foreman continue any work after receiving orders from said engineers to cease, provided always that in the event of a broken culvert, bridge, washout or other serious damage or obstruction to the roadway, the foreman shall at once notify the said engineers of the damage, and immediately proceed to so far repair or guard the same as to allow the public to travel in safety until the arrival of or receipt of instructions from the said engineers.

2. Pathmasters are required to notify the said township engineers of any culvert, bridge or guard railing within their respective road divisions which they consider requires to be renewed. The cost of such renewal or reconstruction, when recommended by the said engineers and ordered by the council, shall be charged by the said engineers to the general account of the division.

3. All public works to be initiated by by-law or resolution of the council and carried on under the supervision of the township engineers.

4. All material for roads and bridges to be ordered, measured and inspected by the engineers, and all accounts for labor and material to be certified by the said engineers and paid by the township treasurer by cheque to the order of the respective persons entitled thereto on the day following the passing of such accounts by the council.

5. All foremen shall be appointed by the engineers, and every foreman shall devote the whole of his time to the duties of his office during the period he is receiving pay therefor, and shall perform similar work to that of the men engaged under him. Each such foreman shall at all times keep in his possession an application list for work, supplied him by the engineers for each postal district in his division, and upon request of any applicant for labor shall enter in the several columns therefor the date, name of applicant and kind of work desired, and shall furnish such applicants with work, provided work is being done in their respective districts, weekly, according to the order in which they are received and entered on the said list, preference to be given at all times to the heads of families. No applicant to be entered on the said list during the period of his employment.

No foreman, while in the pay of this corporation, shall be eligible to tender or contract for any works, and he is hereby debarred from tendering or contracting for any works for this corporation during the period of his employment as such foreman.

No foreman shall employ his team, directly or indirectly, nor shall he employ any member of his own family to team, unless the said member be the head of a family, and all teams employed by this corporation by day labor shall be bona fide property of the party or parties engaged therefor, and all teams, teamsters and persons employed by the engineer in the public works department by day labor must be residents of the municipality.

Ashes Under Pavements.

No ashes should be used in making a foundation for pavements, even when mixed with sand or gravel, under the pavements of the roadways of the streets of cities. Ashes are too soft, even when fresh, to give a solid setting for paving blocks. Furthermore, when the water from the rain percolates through them, a large portion of the ashes is dissolved and carried away into the soil, causing irregular depressions in the pavements. The use of them near the rails of electric lines is likely to cause much damage to the return wires underground, as well as the electric connections between the rails. No good electrician would for a moment permit a combination of ashes, water and the acids of street filth to lie in contact with the electric conductors and rails. Pavements, whether of stone, blocks or bricks, should be upon a cushion of good sand or fine gravel, whether a concrete foundation is under then or not.—*Municipal Engineering.*

Horses pulling 1,400 pounds on an earth road could pull 4,000 pounds on a metaled road, and with earth roads at some seasons 1,400 pounds could not be hauled. Loads over a ton weight are an exception in Canada, while in France the peasant is accustomed to see three-ton loads, and this load on broad wheels is really a roadmaker itself. Such a sight in our rural districts would be a seven-days' wonder.

It is very probable that electric power will be transmitted to Hamilton in much the same way as Niagara power is now transmitted to Buffalo. The Cataract Power Company of Hamilton, capital \$250,000, is now applying for a franchise which will permit it to furnish electric power to that city. Should it be successful in this, about 5,000 horse power will be furnished the manufacturers of the city inside of six months. It is proposed to generate the electricity at Decew's Fall, twenty miles from Hamilton. It is claimed that there is a waterhead there of 260 feet. From the turbines the water will be conducted to the Welland canal, four miles away.

QUESTION DRAWER.

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

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

Communications requiring immediate attention will be answered free by post, on receipt of a stamped addressed envelope. All questions answered will be published, unless \$1 is enclosed with request for private reply.

Reeve May be Commissioner.

282.—J. B.—We are about commencing work on a cemetery and think that one of the persons nominated for reeve to-day to occupy that office for remainder of the year is most competent to oversee and inspect such work as a member of committee of the whole. Is there anything in the Municipal Act to prevent him acting as such overseer or inspector and being paid a reasonable remuneration for his time as such?

No. See section 479, sub-section 2.

Treasurer's Bond—Term of.

283.—J. L. E.—1. Is it necessary to have a new bond executed each year by the Treasurer's sureties, or does the bond once executed bind them until their successors are appointed?

2. Does the same law apply to School Board Treasurer's sureties?

3. Have there been any decisions by judges on this point?

1. One bond sufficient if properly worded.

2. Yes.

3. Yes.

Liability for Medical Assistance—Drainage.

284.—G. A. A.—1. If an able-bodied, comparatively well-to-do farmer hires a lad to work on his farm, and in a short time this lad takes ill and is unable to work, who should go to the expense of doctoring, etc., the said farmer or the council?

2. Is there any law compelling the council to even assist in such a case?

3. Seventeen years ago the township council opened up a drain six or seven miles in length but now it is found that that drain was not carried to a good and sufficient outlet. Since then the drain or creek has washed much larger than ditched and therefore cleaning or repairing has been out of the question under the old by-law. One party contends, however, that the council should go on at this late date and continue the drain or at least open up the outlet further down and wants it dug much larger (which would now be necessary) than the old drain and also contends that council should go on without petition. The reeve thinks that a petition is necessary to enlarge and extend drain and that old by-law is useless for the purpose required. Who is right and what would you recommend as the proper course to pursue?

1. Certainly not the council.

2. No.

3. A petition is not necessary. The council may proceed according to the provisions of section 75 of the Drainage Act, 1894.

White Man's Taxes—Indian Land Assessment.

285.—P. H.—In the month of April, after the assessor had gone his round, I bargained with an Indian for the use of a piece of Indian land for this year's crop. I have no claim on the place after the crop is taken off. I was assessed for it at court of revision. I do not live on the place, and the Indian agent told me that as I had not rented the place for a full year I would not have to pay taxes for it. Will you kindly let me know if I can be compelled to pay taxes for it?

Unless you appeal from the decision of the court of revision and succeed in getting your name struck off the assessment roll you will have to pay the tax.

Pedlar's License Required.

286.—J. H.—In case a county pass a by-law charging a license fee for pedlars peddling in the county, is it legal for a person to peddle in the township of which he is a resident without taking a county license?

No.

Equalization.

287.—J. D.—Will you kindly give me your authority for the following paragraph in the last number of the MUNICIPAL WORLD:

"It is the duty of the county councils this year to equalize the roll of 1896 and when apportioning the county rates for 1897 to use as a basis the roll of 1895, as equalized by the council of 1896."

See section 82 Consolidated Municipal Act, 1892, and in Revell vs. Oxford 42, U. C. Q. B., 337.

Assessment Appeal—Court of Revision.

288.—A SUBSCRIBER.—1. A is assessed \$2,200, \$500 of which is personal goods in store. He appeals against the assessment of the real estate only. Can the court of revision take up the personal assessment when hearing the appeal?

2. In the statement that A gave to the personal, there are debts and bills payable against stock in store; also the sum of \$400 for wages due clerks in store placed as a debt against the stock. Is this \$400 a correct charge as a debt against the stock? The court of revision ruled by the vote of the chairman that it was not and increased A's assessment \$400 on personal.

1. No.

2. The ruling of the chairman is right but the Court of Revision ought not to have interfered with the assessment of the personalty at all. See the latter part of sub-section 4 of section 64, Consolidated Assessment Act, 1892.

When a Mayor is Ex-Officio a Committee Man.

289.—W. C.—Our town council is composed of mayor, reeve, and nine aldermen or councillors. At the beginning of the year a certain number of committees are formed such as Finance, Fire and Light, Board of Works and Court of Revision, and the mayor's name is not placed on any of these committees. Has the mayor, as head of the corporation and by virtue of his office, the privilege and right to sit and vote on any of these committees if he wishes?

The mayor is not ex-officio a member of any committee of the council unless appointed by resolution or rules and regulations governing proceedings of the council.

Occupation Column Voters' List.

290.—L. S. B.—1. What word do you write in the occupation column of the Voters' List in part 2 where they are all non-residents,

and the occupation not given on the assessment roll?

2. What word do you use for the women voters in the occupation column?

1. The clerk has no authority to put in occupation of voter where not stated in assessment roll.

2. The act does not distinguish between men and women voters, and where occupation of the latter is not stated on assessment roll the occupation column would be blank.

Village Local Improvement By-Law—Taxation Railway Bridges.

291.—J. M.—1. Can the council of an incorporated village legally pass a local improvement by-law without submitting it to a vote of the taxpayers?

2. Are railway bridges liable to taxation by the municipality in which they are situated?

1. The by-law does not require the sanction of the ratepayers. The council of the village may pass it, provided there is a sufficient petition under sub-section 1 of section 616; a recommendation from the Board of Health under sub-section 4 of section 616; or advertised under section 617, Consolidated Municipal Act, 1892; see also the latter part of section 619 at page 510. In order to know the precise preliminary steps to be taken, we refer you to the above sections of the Municipal Act, because they are too long to be set out in full. Railway bridges are not taxable by the municipality in which they are situate.

2. No.

Engineers Award and Clerks Costs Ditches and Watercourses Act.

292.—J. B.—In the matter of the Ditches and Watercourses Act, has an Engineer the right to charge on his award the costs of his notices to owners affected by proposed ditch when they have been made by the municipal clerk?

The fees of both the engineer and clerk should be set forth in detail in the award. See the form of engineers award provided by the Ditches and Watercourses Act.

Opening Roads

293.—T. R. D.—When the Government survey was made in our township, jogs were made on the sidelines in the centre of the concessions. Some of these jogs have not yet been opened up and adjoining land owners have fenced them in. The Council now find it necessary to open up some of these jogs. Can the Council order the pathmasters to remove the fences off these jogs? or will the Council have to buy the jogs before they can go on to open them up?

The council should give the person in possession, notice in writing at least eight days before the meeting of the council, that an application will be made for opening the road allowance, and at that meeting a by-law may be passed opening such road allowance for public travel. See sections 552 and 553.

Assessment White People on Indian Lands.

294.—J. W.—Should white people be assessed for lands occupied by them which belong to an Indian reserve. There are several cases of same in our township, and some have been assessed before, but it was not general.

Sub-section 1 of section 7, Consolidated Assessment Act, 1892, exempts all property vested in or held by Her Majesty in trust for or for the use of any tribe or body of Indians, and either unoccupied or occupied by some person in an official capacity. Assuming that the people referred to are in possession for their own benefit and not in some official capacity, they are assessable, but the land itself cannot be sold to make the tax in case the occupant neglects to pay it.

Assessment While Tenant on Indian Lands.

295.—J. W.—A few white people in this township have lands from Indians. There is no lease but bargained to pay so much for the year or for the season. Our assessor has placed them on the Reserve Roll, and hence the kick. They have had lands from the Indians before in the same way but were not assessed. The assessor's guide is plain enough and I think the assessor is all right. But the soreheads squeal. If you will be so kind as to publish a good plain explanation of the case in your June issue.

Section 7 of the Assessment Act declares that all property in this province shall be liable to taxation, subject to the certain exemptions. One of the exemptions which is mentioned in sub-section 1 of the same section is, "all property vested in or held by Her Majesty or any other person or body corporate in trust for the use of any tribe or body of Indians and either unoccupied or occupied by some person in an official capacity." Sub-section 2 provides as follows; "where any property mentioned in the preceding clause is occupied by any person otherwise than in an official capacity, the occupant shall be assessed in respect thereof but the property itself, shall not be liable.

Store Platform on Sidewalk.

296.—Pathmaster.—"A" has built a large store in an unincorporated village and a plank sidewalk running into the street about ten feet. This walk at one end is some fourteen inches higher than the sidewalk leading us to it, and is a nuisance and dangerous on dark nights. Have I, as pathmaster, a right to take down this walk and lower it to correspond with the other walks?

Yes.

Petition for Street Watering.

297.—O. P. Q.—Last year, upon petitions pursuant to section 629, Municipal Act, the town council passed a by-law for street watering. The petition on which by-law was passed simply asked for street watering, leaving it to the council to adopt either frontage or assessment value as the basis for special rate, and did not limit the watering to the year 1896. The council adopted the assessed value basis. This year they (the council) insist upon another petition; in other words, they say that the by-law passed last year held good for only one year, although it did not say so. Are they correct?

The council is right.

Assessment Railway Bonds, Interest Only.

298.—P. C. M.—"A" holds a number of railway bonds, which he values at \$25,000, issued by a railway wholly within Ontario, and chartered by the Ontario Legislature. Can "A" be taxed therefor?

For interest only subject to exemption of \$400. See sub-sections 17 and 24 of section 7, Assessment Act.

Township Bridges.

299.—A. M.—Do county councils have to build all township bridges over rivers one hundred feet wide.

No.

Private Crossings—Collection Poll Taxes.

300.—Councillor.—1. Is it compulsory for village councils to put in and keep up crossing over ditches on the public street and leading from the streets and private lanes and gateways?

2. Can a village council appoint a proper person to collect poll-taxes in June or any month for the current year?

1. No.

2. Section 88, Consolidated Assessment Act empowers every city, town or village to levy and collect poll-tax at such time, by such person and in such manner as the council of the municipality may by by-law direct. From this it will be observed that a by-law is necessary.

By-law Opening Townline Road.

301.—P. R.—I send you herewith a copy of a by-law. Will you kindly give your opinion as to whether the passing of such by-law will leave the corporation passing it under the obligation of making it a safe road for public travel and liable for any damages that may occur through their failure to make it safe for travel?

Note the last five words in the by-law.

BY-LAW NO. — OF THE TOWNSHIP OF CULROSS FOR THE YEAR 1897.

Whereas it is desirable to open that portion of the allowance for road lying on the boundary line between the township of Culross and the township of Kinloss in the County of Bruce, lying between lot number thirty-five in the third concession and thirty-five in the fourth concession of the said township of Culross and lots number thirty-four, thirty-five, and thirty-six in the fourth concession and lot number thirty-three in the fifth concession of the said township of Kinloss; and petition having been made by an owner of land abutting on such road allowance for the opening thereof, and it is expedient and necessary as a preliminary to the opening of such road allowance. That a by-law of this corporation should be made for that purpose.

Therefore be it enacted and it is hereby enacted, that that portion of the allowance for road lying on the boundary between the township of Culross and the township of Kinloss in the County of Bruce, lying between lots number thirty-five in the third concession and thirty-five in the fourth concession of the said township of Culross and lots number thirty-four, thirty-five and thirty-six in the fourth concession and lot number thirty-three in the fifth concession of the said township of Kinloss be and the same is hereby declared to be opened up and declared a public highway.

This by-law to take effect as soon as the provisions under Sections 539 and 540 and the other sections of the consolidated Municipal Act of 1892 in relation thereto have been complied with.

The passing of the by-law does not put your municipality in any worse position than if it had not been passed, because it is not to have any effect until the adjoining municipality has passed a similar by-law. Section 524, declares that all allowances for roads by the crown shall be deemed public highways and section 531 says that every public highway shall be kept in repair by the corporation and in default the corporation shall be civilly responsible for all damages sustained. If a person met with an accident in travelling over an original allowance for road by reason of some dangerous place in the road he could present a case within the express language of the act. If an accident happened upon the road under such

circumstances it may be that both townships would be liable. We are not aware of any decision upon this point.

Fences on Road—Survey.

302.—W. T. S. L.—Mr. B., who was building a new fence on sideroad, decided that to put the fence in its proper place, according to his judgment, built it out considerably further than the original fence, and at one particular place his posts are placed in the centre of the track, or travelled road, which has been travelled for over twenty-five years, and now necessitates the council to cut down a hill at considerable expense.

1. Can he move his fence out and stop traffic, claim the land without notice, or can he claim it at all?

2. If he can claim the land and the line is disputed, will it not be necessary to have a surveyor?

3. Who pays expense of surveyor?

1. B cannot acquire title to any part of the original road allowance. We are assuming that there is an original allowance for road. If he has placed a fence upon the road allowance he may be indicted for so doing. If the fence is upon his own land, according to the original survey, we cannot without further information say whether the public have acquired a right as against him by user for a long period.

2. The proper course is to get a surveyor to establish the true line of the road, and if it appears that B is encroaching upon the highway, there is no doubt but that the council may direct the fence to be taken down by the pathmaster, or he may be indicted.

3. The council must either pay the surveyor or do without the survey, as B is not bound to incur any part of that expense.

Girdling Trees—Private Drain.

303.—J. T. V. M.—1. A farmer inside corporation limits girdled large trees on each side concession fence. Wild growth, not planted for shade trees. Can he be prosecuted under statutes?

2. Some twenty-five years ago, before the village was incorporated, residents living on Main street clubbed together and put in a large underground drain to drain their cellars. The drain is now giving out. The drain being along the street, no surface water goes into it. Is the corporation liable for maintenance of drain?

3. If not, what course should residents interested take to have drain rebuilt?

4. If during the interval of twenty-five years other residents than those first digging drain tapped drain, would their action make the corporation liable?

1. No. The Ontario Tree Planting Act, section 8 does not apply to trees of natural growth.

2. No.

3. Apply to council in accordance with provisions of Local Improvement sections of Municipal Act.

4. No.

Voters' Lists—Non-Resident Tenants.

304.—G. G. A.—I beg to call your attention to what seemed to me an error in regard to the manner in which the name of a

voter is to be entered in the voters' list, as stated in an article in the MUNICIPAL WORLD, page 140, October, 1894, (Vol. 4, No. 9.) The judgment of Hughes Judge states in effect, that "where a voter is entitled to both municipal and electoral franchise, his name must be placed in part one of every polling sub-division, and he may vote where he chooses." So far as the Voters' List Act alone is concerned, this may be correct, but Sec. 85 of the Ontario Elections Act, 1892, which must have been in force when the above judgment was rendered, expressly states that the voter, in elections for the Legislative Assembly, "shall vote only at the polling place for the sub-division in which he resides if entitled to vote at such polling sub-division under a penalty, etc." It appears to me that where a property-holder holds the requisite amount of property or qualification in more than one polling sub-division his name should be inserted in part one of list in the polling sub-division in which he resides, but in part 2 of every other polling sub-division (if in different ward from that in which the voter resides.) I presume the clerk in making up the voters' list must have regard to the Ontario Elections Act, as well as to the Voters' List Act of 1889, and it would, it seems to me, be quite improper for the clerk to enter a voter's name in part 1 of voters' list in more than one polling sub-division or rather in any polling sub-division where to the knowledge of the clerk the voter does not reside.

The clerk should prepare list as directed by the Voters' List Act. The section of the Ontario Election Act referred to is a direction to the voter only.

Road Ditches—Liability for Drainage.

305.—G. W. T.—1. In doing statute labor some years ago, some pathmasters, regardless of anything but the purpose of turnpiking the roads, dug out certain ditches, and leaving no outlet for the water which accumulated therein. The water does not overflow to do any serious injury to owners but gradually soaks away. Under the circumstances, would the municipality be obliged to carry the water that accumulates in such ditches to a proper outlet?

2. The natural course for water off four lots is all onto one lot, and comes onto said lot from three or four points. Are owners who drain onto said lots obliged to help carry water off or to an outlet on said lot? or would the municipality be partly liable? Kindly give statutes governing such cases.

3. A certain lot has the line on south side of it established by the Theodolite, and the post on concession line is also established, but there is no post at centre of said lot and the lot to the north. Said line is in dispute, land in dispute is also on bush. Could you give the circumstances governing the case? Will it be governed by the lots surrounding it?

1. Yes.
2. Yes, the owners who drain onto said lot are liable and also the municipality if highways are benefited. See Ditches and Watercourses Act, Sec. 3 et al.
3. Not a municipal question.

Maintenance of Snow Fence.

306.—F. J. E.—Upon the property of A there is a snow fence built. Said fence is about two rods from the line fence, taking a portion of the land of A. Said fence was built about eleven years ago, and was on the property before A bought it, but there has not been any deed of the portion of land, neither is it mentioned in A's deed. A has removed some of the fence, stating that he never got any pay for the land, and unless the corporation pays him that he will not leave it there.

1. Will the length of time that the fence is up make it lawful?

2. A knowing that the fence was on the property when he bought it, can he claim pay for the land?

3. What steps should be taken to make A replace the portion of fence he removed?

1. No.
2. No.
3. The council cannot compel him to replace the part removed.

Liability for Damages—Sheep Killed.

307.—SUBSCRIBER.—1. Is a municipality liable for sheep killed by dogs, that has not collected any dog tax nor had any by-law doing away with dog tax?

2. Can any person claim compensation for sheep killed in 1896, or what time is allowed by statute to make application for sheep that are killed by dogs?

1. Yes.
2. Such person must apply to the council within three months from the time when the sheep are killed.

Purchase of Road Machine—A Two-Thirds Vote.

308.—D. McG.—1. Can a council of a town of about 700 inhabitants legally purchase a road machine costing \$260.00 payable in three years at six per cent. per annum by a simple motion of four councillors out of seven without passing a by-law?

2. Would the mayor or clerk be justified in signing an agreement to that effect if such action is illegal?

3. What do you consider a two-third vote of a council of seven including the mayor?

1. No.
2. No.
3. Five.

Non-Resident Tenants and Voters' Lists.

309.—W. A. C.—In drawer department of the June issue of your paper, under Nos. 240 and 258, I observe you still hold to your opinion that the name of a non-resident tenant should be placed in the Voters' List part 2 by clerk. In my ten years' experience as clerk the county judge on an appeal has always refused to add the name of a non-resident tenant to any part of the list. I do not think the clerk has to consider the possibility or probability of any person becoming qualified to vote and adding the name of such a person to the list. Section 3 of the Ontario Voters' List Act, 1889, clearly defines the duties of the clerk in the preparation of the voters' list and plainly states that he shall make a "list in three parts (Form 1) of all persons, etc., appearing by the assessment roll to be entitled to be voters," etc. See sec. 7 of this Act, and Certificate of Clerk to be upon each copy of the list; also section 29 as to liability of clerk in case he enters names of "persons not entitled to vote." I wish to know upon what law you base your opinion, or contention? as you omitted to mention in answer to my question in last issue any authority.

We clerks have to act upon the law as we find it and I do not think we have any authority in this matter to assume that any particular person who is not entitled to vote may in the course of time become so entitled, and upon that ground alone place his or her name on the voters' list.

We cannot add anything to what we have already said on this subject. In the case of tenants it appears that you do not put them on the list unless they are entitled to vote. How can you tell, at the time of so putting them on, whether a particular tenant is entitled to vote or not, because the act does not say that the residential period required shall be measured with respect to the time he is

put on the list, but with respect to the time of the election. Suppose you find that a particular tenant has been resident for ten days, what would you do with him? He would not be entitled to vote unless at the time of the election he could swear that he had been a resident for one month next before the election. According to your view you ought to have him off, because you cannot say that he is entitled to vote. See sub-section 2, section 79, Municipal Act.

Assessment Appeal.

310.—G. H.—Appeal against assessment roll as follows: "Take notice that I appeal against the whole assessment roll of the town of Sudbury for the present year upon the following grounds: The said assessment is contrary to the provisions of the Assessment Act.

The said assessment is not just and equitable and that there are errors and omissions therein which should be corrected.

Dated 14th May, 1897.
To clerk of municipality."

T. J. R.

Please say in your next issue, 1st, is this general appeal good?

2. If good, should all parties on roll be notified to attend? There would be difficulty in stating to each party on notice of appeal what said appeal is for. Roll is substantially correct.

We do not think that a general notice, such as the one given in this case, is sufficient. There ought to be a specific ground of complaint, so that the clerk may inform each person whose assessment is complained of, the nature of the complaint. See sub-section 9, of section 64, of the Assessment Act.

Town Line Improvements.

311.—SUBSCRIBER.—1. A and B are commissioners living in different townships and each have to pay half to keep up the town line. Is it lawful for A to let jobs without the knowledge or consent of B, or can B be compelled to pay his half?

We cannot answer this question in its present form. It is the duty of the two townships to maintain the townline. If there is an agreement between them as to the share to be borne by each that agreement must be looked at to determine the liability of each. If they cannot agree, then the county council may be applied to, and if the county council determines what each township is to do, we cannot see what difference it makes which commissioner orders the work to be done.

Justices of the Peace.

312.—ENQUIRER.—1. How and by whom are justices of the peace appointed?

2. What is the oath of qualification and by whom administered?

3. What are the penalties where a J. P. has not the proper amount of real estate to qualify on? Can he qualify on assessment or any other than freehold property, in his own name?

1. By the Lieutenant-Governor.
2. You will find the oath of qualification and the persons before whom it is to be made, at page 783, Volume 1, Revised Statutes of Ontario, 1887.
3. If he acts as justice of the peace without being qualified he is liable for each offence to a penalty of \$100, except where otherwise provided by law. No person

shall be a justice of the peace, or act as such, who has not, in his actual possession, to and for his own use and benefit, an estate in free and common socage in absolute property, or for life, or lease for one or more lives, or originally created for a term not less than twenty-one years in lands, tenement, or hereditaments in this Province, or above the value of \$1,200 over and above all encumbrances affecting the same.

Railway Culverts—Road Fences—Drainage.

313.—J. M.—1. What proceedings should be taken to compel a railway to enlarge their pipe across the railway? When the railway was constructed culverts were put in sufficient to carry the water and the railway afterwards, without permission, put in pipes which were insufficient.

2. Is a township obliged to begin numbering municipal and drainage warrants with No. 1 and then number consecutively for all time or can they begin again with No. 1? If so, when?

3. Is a landowner in townships compelled to erect road fences?

4. A municipality constructs a drain along a road allowance and the water washes the earth near the fence which is caused to lean into the ditch and some of it is carried away. Can the owner collect damages, and if so must the fence be wholly on his property?

5. A natural watercourse ran through a man's property and at his request it was carried along the road adjoining said property, but it is often in high water, and floods the land in which the drain was formerly carried. Can the owner collect damages for the overflow if it can be proven that the land overflowed is a swail or natural watercourse?

1. Unless it is a railway under the jurisdiction of the Provincial Legislature there is no remedy.

2. Township warrants or orders on treasurer are usually numbered as issued each year. This is not compulsory, but convenient for reference.

3. No.

4. The municipality is liable if the fence is wholly upon the owner's property.

5. The drain having been constructed along the highway at the owner's request, he is not entitled to damages. But the rule is that without a person's request water cannot be taken out of its natural course to his injury. To remove any doubt, and to guard against any future cause of complaint, why not fill up a sufficient part of the drain along the highway to prevent the water flowing out of its natural course, and allow it to pass along the natural watercourse.

Not a Motion of the Council.

314.—D. A.—A councillor brings forward two motions at a sitting of council, hands them to the reeve, neither of them having a seconder. The reeve read them, but laid them on the table, saying he could do nothing unless they were seconded. The mover placed them on the clerk's minute book saying "you record these in the minutes." The clerk asked the council what to do with them. The reply was, "Do as you like."

Which is the proper course to pursue, 1st, with the motions, 2nd, with the request?

In the absence of any rule of the council requiring a seconder, the reeve had the right to put the motions and if

voted on they would be valid acts of the council.

1. As the motions were not put or voted on they cannot be considered an act of the council.

2. No attention should be paid to the request; if the minutes as entered up are not correct they may be changed with the consent of the council before being signed by the reeve at next meeting.

A Ditches and Watercourses Case.

315.—A. M.—The municipality A two farmers B and C. There is a swamp in our municipality. It lies between a little lake and a river; the swamp is about one mile and a half along the side road, said road was crosswayed, and being on stringers got very rough. It was necessary to lay the crossway down off the stringers, also to make a ditch to take the water off. In order to do this the municipality nine years ago let a job to make a ditch from end of crossway along the road to river for \$75.00. B took the job and after starting the ditch he found flat rock, so the job was given up and as there were 25 or 30 rods of that solid rock to go through, two or three feet in some places, A was not able to put the ditch through on the road, so A and B agreed to make the ditch through a corner of B's property in a regular watercourse dug in two feet at side road and run out to nothing before we got to blind line between B and C where it forms a gully, but the water had a good chance to go through, but we asked leave to take the timber out of the gully but C would not allow either A or B to do it, so as we did not need it we let it go until this year. The water stayed so long that B could not put in the crop on account of the water damming back on him the sticks and clay carried down by the water and stopped by these logs, and the grass growing in summer now it is a bank on account of these logs, so B wants to get the water off.

1. Who should call the engineer, A or B?

2. Who should pay engineer, A or B?

3. Would one have to take the logs and clay off C's property that was cleaned out of the course?

1. Any one of the owners of the lands interested may file a declaration of ownership with the clerk of the municipality pursuant to section 7 of the Ditches and Watercourses Act, and he shall then serve a notice in writing, according to section 8, upon the owners or occupants of the other lands to be effected and, if an agreement is not arrived at at the meeting called for owners requiring the ditch, may file a requisition with the engineer, who shall then proceed. You will find the Ditches and Watercourses Act in the Ontario Statutes of 1894.

2. The engineer by his award apporitions the expenses. See the form of the award given in the Act.

3. That will be a matter for the engineer.

No Equalization of Union Separate School Sections.

316.—J. T. C.—Is it the duty of assessors to equalize union separate schools same as union public schools, and if so should they be paid out of general fund of municipality or from separate school supporters only?

There is no provision in the Separate Schools Act for the equalization of union separate school sections.

Tax on Hunting Dogs—Non-Resident Collector—Trustees Rate to be Paid in Full.

317.—CLERK PARRY SOUND—1. Have council power to levy special tax upon hunting dogs, either those owned in the township or those coming from other parts during the hunting season after said dog owners have paid license to game warden?

2. If a by-law was passed to that effect would it be legal?

3. Have council power to appoint bailiff or any other person collector from an adjoining township?

4. If any person appointed collector refuses to act after being appointed what steps must council take? Is there any act to enforce the appointment?

5. Council have failed to collect all available tax for school sections and to fill the requisition of 1895 they have taken money out of the collection for 1896 and now they have not half enough to fill the requisition of 1896. Can they legally take money collected in 1896 to fill the requisition for 1895?

6. Are they under obligations to cover the amount of trustees' requisition in each and every year?

7. What steps should trustees take under the above circumstances?

1. Yes, under section 489, sub-sections 15 and 16, Consolidated Municipal Act.

2. Yes.

3. Yes.

4. Appoint another collector.

5. Yes; see section 203 of Assessment Act.

6. Yes.

7. Trustees should demand balance in full of amount of annual requisitions.

Alteration Union School Sections—Building School House.

318.—J. C. M.—1. Can township council take lots from one union school section and annex them to another union school section by section 43, sub-section 11, School Act, 1896?

2. Can trustees compel council to pass a by-law to borrow money to build a new school house where they called a school meeting on the 13th January? Meeting carried motion to build new house and pay for it in three years, without naming any sum to be borrowed and no motion was made to adjourn meeting.

3. Is it necessary that a school meeting should be adjourned?

4. Can trustees levy enough to pay for new house in one year, contrary to the wishes of a large majority of ratepayers, by section 71, School Act, 1896, also see Vic. 54 and Revised Statutes? The school inspector says yes to all of these. The council think differently.

1. Yes, unless there has been an award and the five year term during which it is to be has not elapsed.

2. No; amount, term and rate of interest should be stated.

3. No.

4. Yes.

Council to Raise Amount Separate School Trustees Requisition.

319.—A CLERK.—Please state whether a municipal council is obliged to put in estimates to collect money for support of separate schools?

Section 55 of the Separate Schools Act requires councils to levy and collect moneys for separate school trustees, if so requested, before the meeting of the council in August. See also section 28, sub-section 9, of same act.

LEGAL DEPARTMENT.

JAMES MORRISON GLENN, LL. B.,
of Osgoode Hall, Barrister-at-Law,
Editor.

LEGAL DECISIONS.

In re Goulden and City of Ottawa.

Liquor License Act—By-law Limiting Licenses—When to be Passed, "Year"—R. S. O., chapter 194 Section 20.

A corporation passed a by-law on the 14th May, 1896, limiting the number of tavern licenses.

Held, that by the Interpretation Act, R. S. O., chapter 1, section 8, sub-section 15, the word "year" means a calendar year; that the words "before the first of March in any year" in section 20 of the Liquor License Act, R. S. O., chapter 194, mean in the months of January or February in any year; that it was the intention of the enactment that the incoming council should have the responsibility of the legislation; and the by-law was quashed with costs.

In re Leak and City of Toronto.

Arbitration and Award—Municipal Corporations—Lands Injuriouly Affected—Interest.

Motion by the corporation of the city of Toronto to set aside an award. The arbitrator awarded \$8,782 with interest from 16th March, 1891, to the landowner, William Leak, for the "entering on, taking, and injuriously affecting" certain lands mentioned in the award. Upon the face of the award he did not distinguish between the sums, if any, awarded for "injuriously affecting" and those awarded for lands taken. The question was whether Leak was or was not entitled to the interest awarded to him.

Held, that if the amount awarded was exclusively composed of damages inflicted upon adjoining land by the raising or lowering of the street, the allowance of interest should not have been made, upon the broad ground that, in the absence of express authority, unliquidated damages of this nature do not bear interest. But *aliter* if the amount was awarded for lands taken, as in re Macpherson and City of Toronto, 26 O. R. 558, 15 Occ. N. 221.

An order was made referring the award back to the arbitrator in order to have it made plain whether any part of the amount awarded, and if so what part, was for lands injuriously affected, and in order that arbitrator might, if necessary, alter or modify the award so far as the question of interest is concerned. Costs of this motion reserved until after the further award shall be made. Such costs and the costs of the reference back should be given to the party substantially succeeding upon the question of interest.

Ordinary Current Expenditure.

A town treasurer writes as follows:

F. J. C's. query in the June number as to the class of expenditure included in the term "ordinary current expenditure" is apropos, and I confess after reading question and answer and giving it some study, to be still perplexed. In the first place I presume, both refer to debentures (principal) maturing, which have to be paid off. I take it, you don't intend to convey, that interest on debentures is not ordinary current expenditure, and yet you express opinion in the words "ordinary expenditure does not include regular payment on account of debentures and coupons." I venture to say very few towns or incorporated villages who call themselves progressive are acting on the assumption that their borrowing power does not include the sum required to pay interest on debentures. It seems to me "ordinary current expenditure" should include all annual expenditure which comes within the purview of the Municipal Act; the total tax levy, in plain words. For example if the mayor of a corporation goes to a bank to negotiate a current loan, until the taxes to be levied can be collected, he will represent, that the estimates call for, say, schools \$6,000, interest and sinking fund on debentures \$6,000, and for general purposes, which is usually called controllable expenditure, \$8,000, making a total tax levy of \$20,000; and having in view the recent amendment, he will present to the manager a copy of by-law passed by council authorizing the borrowing of eighty per cent. of the levy, \$16,000. This is quite plain, practical and business-like, and why not correct, so far as the term current expenditure is concerned. I am not losing sight of the fact, that the amendment does not read eighty per cent. of the levy, but eighty per cent. of the amount collected in the preceding year; but I am convinced that had the borrowing power been based on the levy instead of on the amount collected as the law now is, it would have been much better and more workable, because the amounts collected vary more than the levies in the respective years.

Therefore it seems to me, that between the law as it now reads and your interpretation of what should be classed as ordinary current expenditure, the new amendment, although in the right direction, will result in little practical good. F. S. R.

[Having already expressed our opinion in reference to the amendment, we will be pleased to hear from other clerks.—ED.]

The town of Renfrew recently accepted a very favorable tender for business from the Merchants Bank. Three per cent. interest is allowed on daily balances, all cheques are cashed at par and money required for current expenses may be borrowed at five per cent.

Simcoe County Special Committee re Houses of Refuge.

The special committee of the County Council of Simcoe visited the Houses of Refuge in Waterloo, Perth, Oxford and Lambton and reported that:

"Some of these institutions are, in our opinion, a little more elaborate than to us seems necessary. Some mistakes have been made in their construction which were kindly pointed out to us by those in charge.

In all the institutions, which were visited, the inmates appeared to be comfortable and have good reason to be contented, seeing that their condition in life is much better than they have hitherto been accustomed to.

In all the counties visited we found the municipal and other authorities all well pleased with their Houses and the working of the same. That those who had originally opposed the erection of such houses now express themselves as strongly in favor thereof, and have no desire to go back to the old order of things.

We estimate the cost of a suitable farm at

farm at	\$ 3,000 00
House, including fire escapes and plumbing	15,000 00
Barn, woodsheds, etc.	1,500 00
Beds and bedding	900 00
Stoves, tables, etc.	340 00
Crockery, tinware, etc.	60 00
Farm stock and impliments, including 2 horses, six cows, 2 sows, wagon, plow, harrow, disk harrow, cultivator, seed drill, root cultivator, mower, horse rake, etc., etc.	600 00
Furniture, etc.	200 00
Isolating cottages	1,000 00
Heating apparatus	2,000 00
Plans, etc.	300 00
	<hr/>
	\$24,000 00

—Examiner.

Publications Received.

Proceedings, Financial Statement, etc., County Council of Wellington. In this county the warden is elected by open vote, and at the January session County Solicitor Guthrie advised the council as to the effect of the County Councils Act on this question as follows:

1. I think that the warden should, in pursuance of our by-law, be elected by open vote. I think section 18 of the County Councils Act, 1896, has not the effect of repealing our by-law.

In case, therefore, an open vote should be given for warden, and no election can be had during the first day of meeting, I think in any difficulty of that kind we may read section 19 as meaning that on the second day, if no choice is made after two votings, we may then proceed, etc.

Proceedings and Financial Statement of County Council of Brant for 1896.

Minutes, By-Laws, Accounts, etc., of Township of West Flamborough. Ira N. Binkley, Clerk.

Proceedings, By-Laws, etc., of County Council of Waterloo, 1896.

Sunday School Teacher—Now, Reginald, what does the beautiful parable of the prodigal son teach us?

Reginald—It teaches us that we should all be prodigal sons and not fatted calves.

Books for Municipal Officers.

- Ontario Statutes, 1897**—We have made arrangements with the Queen's Printer, and will be prepared to supply any number. Special terms to municipalities ordering more than one copy. Send in your order and secure the statutes as soon as issued.
- Consolidated Public Health Acts**—With amendments to date—These should be supplied to the members of every local board of health. Price—20 cents each, six for \$1.
- Consolidated Municipal and Assessment Acts, 1892**.—Price \$1.50.
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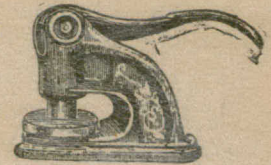
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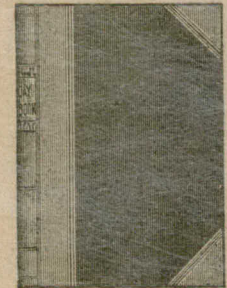
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