

The Municipal World

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Chas. Dickinson
THE MUNICIPAL INSTITUTION 108

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ST. THOMAS, ONTARIO, DECEMBER, 1899.

Whole No. 108

BRIDGE BUILDING a Specialty

COUNCILMEN, TAKE NOTICE!

The Celebrated Baer Patent Bridge, after ten years' standing, is as free from decay as when first put up, thus proving that they will last for forty years if properly taken care of. We, the undersigned, are prepared to build the above bridges in spans of from 30 to 150 ft. and upwards at the price of ordinary wooden bridges, of equal strength. Also builders of Stone Abutments, Piers, Excavating, Pile Driving, etc. Dealers in

STONE DIMENSION BRIDGE, ASHLAR CURBING,
RUBBLE, RIPRAP.

QUARRIES AT GLEN WILLIAMS ONT. PLANS PREPARED AND ESTIMATES GIVEN
CORRESPONDENCE SOLICITED

Address **B. BAER & CO., DOON, ONT.**

MUNICIPAL DEBENTURES WANTED

For English, Scotch and Canadian Clients.

The Very Highest Prices Paid for Debentures of
Counties, Townships, Towns and Villages.

CORRESPONDENCE SOLICITED WITH THOSE IN A POSITION
TO INTRODUCE BUSINESS

Geo. A. Stimson & Co.,

24-26 King Street West,

Toronto, Ontario

W. F. VANBUSKIRK,

Graduate Royal Military College of Canada.
Member American Public Health Association.

A. M. Can. Soc. C. E. & O. L. S.
City Engineer, Stratford.

**CIVIL.....
ENGINEER**

Special attention to Drainage and Municipal
works of all kinds.

STRATFORD, - ONT.

BUILDING and Crushed Stone

The undersigned is prepared to furnish both Building and Crushed Stone from his quarries at

Hagersville, Haldimand Co.,
and
St. David's, Lincoln Co., Ont.

Crushed Stone graded to different
sizes for making

Macadamized Roads

and streets, is cheaper and far superior
to stone broken by hand. Write for
prices to

J. C. INGLES.

ADDRESS: HAGERSVILLE, ONT

The Grafton Truss Suspension Bridge

Still takes the lead throughout Ontario,
and is far superior to any in use, considering
cost, strength and durability.

PRICE \$4.00 TO \$8.00 PER FOOT

up to 108 feet. Will carry 40 Tons,
and will with care last 60 Years.

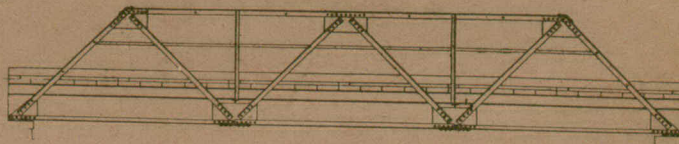
Every superstructure warranted a
success. Correspondence solicited.

Royal Crafton,

BRIDGE CONTRACTOR,
Mt. Charles P. O., Peel Co., Ont

THE HAMILTON BRIDGE WORKS COMPANY LIMITED.

Engineers and Manufacturers of
all Kinds of



BRIDGES AND ARCHITECTURAL STEELWORK

Highway Bridges
a Specialty ...

We have issued a very handy little circular containing a large amount of
useful information regarding HIGHWAY BRIDGES, including a price for
various lengths and widths of spans, and we will be pleased to forward this
circular upon application.

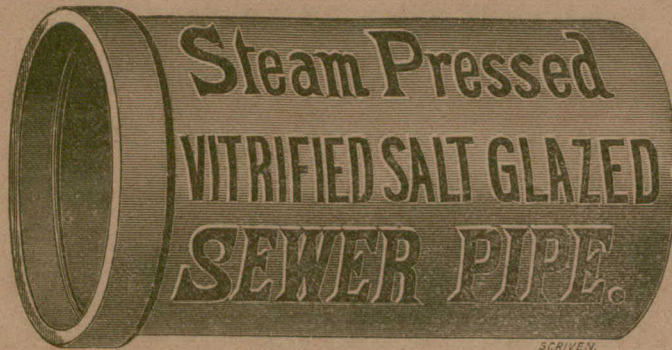
HAMILTON, CANADA ..

HAMILTON AND TORONTO SEWER PIPE COMPANY (LIMITED)

MANUFACTURERS OF

THE DIAMOND BRAND

(TRADE MARK)



Our St. Thomas Agents Ellison & Lewis keep a full supply of Sewer, Culvert and Flue Pipes at Lowest Prices.

AND

... CULVERT PIPES ...

WRITE FOR PRICE LIST AND DISCOUNTS.

HAMILTON, ONT.

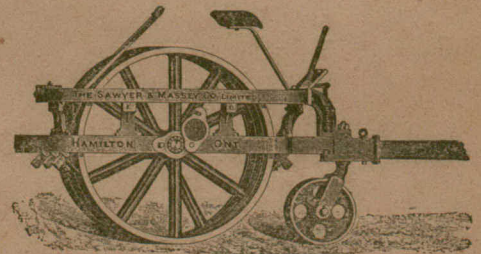
SAWYER AND MASSEY COMPANY, LIMITED, HAMILTON, ONTARIO

MANUFACTURERS AND DEALERS IN

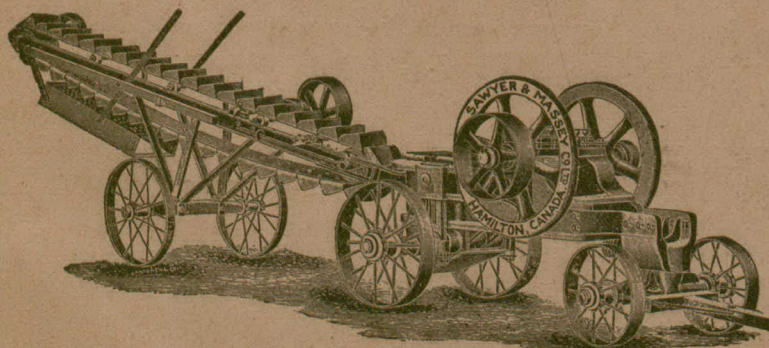
HIGH-CLASS ROADMAKING MACHINERY.

Read What Mr. A. W. Campbell says: "Heavy rollers have been little used in this country. Municipal officials are fast becoming convinced of their usefulness, and within the past couple of years several have been purchased in the province, and in every instance they are greatly appreciated. In order that the best results may be obtained,

ROLLERS ARE INDISPENSABLE.



"Material should be carefully selected and applied. It should then be compressed so that the whole mass would be joined to support the traffic instead of a few individual or disconnected particles. Grading machines are being extensively used on country roads, and have established their merits in performing the work for which they are intended, but the good results are largely lost in the absence of their counterpart—the roller. When the grader has finished its work the soil is left loose to be displaced readily under traffic and absorb moisture, whereas if thoroughly consolidated by rolling, the full benefit would be realized.



PORTABLE CRUSHING PLANT ON THE ROAD.

The Sawyer & Massey

Reversible Road-Roller..

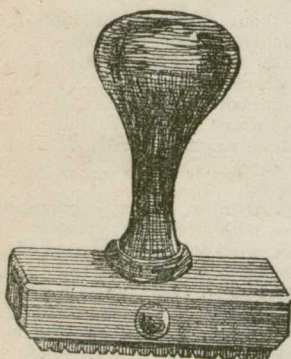
Most modern and convenient Road-Roller in the market.

Notice the Great Diameter and Anti-Friction Bearing which conduce to Lightness of Draught.

Weight: 4, 5, 6 and 7 tons ...

RUBBER STAMPS.

For personal, business and office use.



Single line stamps, not exceeding 3 inches, on wood handle mount... \$0 30
 Additional lines... 15
 Single line stamps, not exceeding 2 inches, on handle, with ink pad... 40
 Prices for self-inking stamps and daters on application.

RUBBER STAMP PADS.

Ready for use.

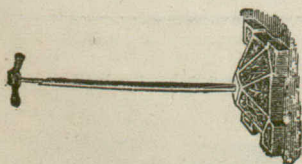
No. a.—2 x 3 3/4 inches... \$0 25
 No. 0.—2 1/4 x 3 1/2 inches... 30
 No. 1.—2 3/4 x 4 1/4 inches... 40
 No. 2.—3 x 6 1/4 inches... 60
 No. 3.—4 1/2 x 7 1/2 inches... 1 25

Address all Orders to
THE MUNICIPAL WORLD.
 ST. THOMAS.

OFFICE FILES.



The Genuine Shannon File, complete... \$1 00
 Shannon Binding Cases, each... 30



Standard File, for office desk, each... \$ 15

Address all Orders to
THE MUNICIPAL WORLD.
 ST. THOMAS.

\$1.25

LINCOLN FOUNTAIN PEN

\$1.25



SOLID GOLD PEN HARD RUBBER HOLDER
 ALWAYS READY NEVER BLOTS
 SIMPLE CONSTRUCTION NO BETTER WORKING PEN MADE

A REGULAR \$2.50 PEN

Always ready to write. Price, mailed, complete, boxed, with filler, \$1.25.
 Medium or stub points, as ordered.

Address all Orders to THE MUNICIPAL WORLD St. THOMAS.

SEAL PRESSES.

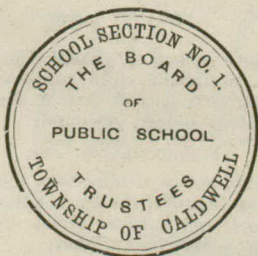


Suitable for Municipalities, School Boards and other Corporations.

PRICE, \$4.50

Sample impressions on application.

RUBBER STAMP SEALS.



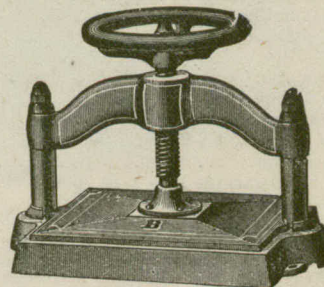
These seals are made of rubber, with wood handle mount, and are very durable.

Price, in box with pad of stamping ink, \$1.50

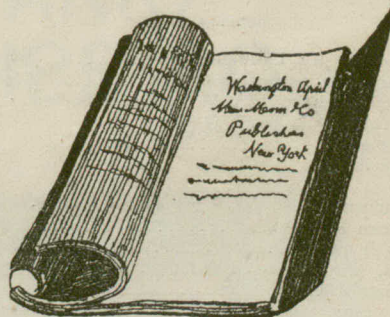
Address all Orders to
THE MUNICIPAL WORLD.
 ST. THOMAS.

LETTER COPYING BOOKS AND PRESSES.

Letter Books, letter size, with index, 1,000 pages... \$1 60
 Letter Books, foolscap size, with index, 1,000 pages... 2 75
 Oiled Sheets—Letter Size, per dozen... 50
 " Foolscap Size, per dozen... 60
 Water Brushes, each... 50



Letter Press, finished in plain black—
 10x12 1/2 in... \$5 25 11x16 in... \$8 00
 10x15 in... 6 00 12x18 in... 10 00



Perfect Letter Books. No press required.
 Letter size, 10x12 inches, 150 leaves... \$1 00

Address all Orders to THE MUNICIPAL WORLD, St. Thomas

LEAD PENCILS.



THE COUNCILLOR (with Rubber Eraser), per dozen, 50c.



THE ELECTION (ring tip), per dozen... \$0 30
 " " (rubber tip) " ... 25
 " " (plain), " ... 20
 Common Pencils, per dozen... 10

Address all Orders to THE MUNICIPAL WORLD St. Thomas.

STATIONERY.

WRITING PAPER.

Original Municipal record paper (linen) for by-laws, etc., foolscap size, per quire, 30c.; four quires in heavy manilla envelope... 1 00	
Ruled on three sides with marginal line.	
Foolscap (linen) per ream.....\$3 00	
Foolscap, (linen) per quire..... 20	
Foolscap (ordinary), per ream..... 2 50	
" " per quire..... 15	
Foolscap, per pad 100 sheets, ruled both sides or blank..... 25	
Legal cap (Cable), ruled on one side, with marginal line, per pad of 100, with blotter..... 25	
Letter paper (Cable), 8 x 10, ruled or unruled, per pad of 100, with blotter... 25	
Note paper (Cable), 5½ x 8½, ruled or unruled per pad of 100, with blotter..... 15	
Account paper—	
Double \$, c. column, ruled on both sides, per ream..... 3 50	
Per quire..... 25	
Ruled on one side only, pad of 100.... 35	

ENVELOPES.

No. 7 white, 3¼ x 6, per 1,000..... 1 25	
No. 7 white, per package..... 10	
No. 7 manilla, per 1,000..... 90	
No. 7 manilla, per package..... 5	
Official—	
No. 9 white, 4 x 9, open at (side or end,) per 1,000..... 2 75	
Per package..... 15	
No. 9 manilla, 4 x 9, per 1,000..... 1 75	
Per package..... 10	
No. 11, (Cartridge,) 4¼ x 10, per 1,000. 4 50	
Per package..... 15	
No. 14 Cartridge, 11½ x 5, per 1,000.... 6 00	
Per package..... 20	
Extra large, (Cartridge,) 13 x 6¼ Per package..... 25	
Manilla, foolscap size, for holding blank forms, etc., per dozen..... 35	
Other sizes of envelopes as ordered.	

MISCELLANEOUS.

Wrappers, 6 x 12 inches, per 100.....\$0 30	
Pencil pads, according to size..... 2 to 10	
Blotting paper, 18 x 23 inches, assorted colors—	
Per quire..... 75	
Per dozen..... 40	
Memorandum books, 6 x 4 inches, American leather..... 30	
Pass books..... 5 and 10	
Seals, per box, large or small, as ordered..... 5	
Sealing wax, per stick..... 5	
Office pins, per pyramid..... 10	
Best ink and pencil erasers, each..... 10	
Spring Desk and Wall Clip, each..... 10	
Wire Wall Hooks, each..... 5	
Mucilage (Carter's)—	
Half-pints (with brush)..... 40	
Two-ounce bottle and brush..... 10	
Ink (black writing) Stephen's, Stafford's or Carter's—	
Quarts..... 75	
Pints..... 50	
Half-pints..... 25	
Copying ink—Stephens—same price. (Carter's Extra) half-pints..... 40	
Ink bottles for office desk, a large variety.	
Safety Glass Inkstand, (Good)..... 25	
Red ink—	
Carter's two-oz. (new carmine)..... 15	
Small bottle (Fast Red)..... 5	

Orders for stationery of every description not included in the above list will be filled at close prices.

FORMS AND BOOKS FOR SCHOOL TRUSTEES

CASH-BOOKS.

Prepared by the Provincial Municipal Auditor, under the authority of Chapter 228, Revised Statutes of Ontario, 1897.

The paper, ruling, binding and prices of which have been approved by the Lieutenant-Governor-in-Council.

For Treasurers of City,
Town and Village School Boards, \$2 50

For Treasurers of School
Sections in Townships, \$1 00
(By mail, \$1.28)

FORMS FOR PUBLIC SCHOOL TRUSTEES.

1. Deed of school site in duplicate.....\$0 25	
2. Teacher's agreement with trustees, per dozen..... 25	
3. Trustees estimates and requisition on council for school monies, per dozen..... 25	
4. Bond of secretary-treasurer, per dozen..... 25	
5. Trustees' notice annual school meeting, per dozen..... 20	
6. Trustees' notice special school meeting, per dozen..... 20	
7. Directions for conducting school meetings, each..... 10	
8. Secretary's annual notice to township clerk, per dozen..... 20	
9. Notice of exemption of indigent to township clerk, per dozen..... 20	
10. Trustees' promissory notes, per doz... 20	

TRUANCY ACT.

11. Notice to parent or guardian of neglect to educate child, per dozen... 20	
12. Secretaries' notice of truant children to truant officer, per dozen..... 25	

PUBLIC HEALTH ACT.

13. Teacher's notice of infectious diseases (form required to be supplied by school authorities under Public Health Act), per dozen..... 20	
---	--

Special set of 100 forms (assorted numbers) 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, for trustees of school sections in townships, in heavy stationery envelope by mail.....\$1 00

FOR SECTIONS IN UNORGANIZED TOWNSHIPS ONLY.

14. Assessment roll paper—	
Per sheet.....\$0 05	
Per quire..... 60	
15. School rate collector's roll paper—	
Per sheet..... 5	
Per quire..... 60	
16. Bond of collector of school rates, each..... 5	
17. School collector's receipts in books of 100..... 50	
18. Assessor's report and equalization of union school section, per dozen.... 25	

SCHOOL ACTS.

Consolidated Public and High School Acts and Regulations, paper cover..... 75	
Cloth "..... 1 00	

SCHOOL VISITORS' BOOKS.

Neatly bound and lettered in gold, ruled, with printed headings, 200 pages..... 2 00

CONVEYANCING FORMS.

	Per 100
Deeds, without dower, lithographed....\$5 00	
Deeds, without dower, printed..... 2 50	
Deeds, with dower, lithographed..... 5 00	
Deeds, with dower, printed..... 2 50	
Deeds, quit claim, printed..... 2 50	
Deeds, executor's..... 5 00	
Deeds, administrator's..... 5 00	
Deeds, Timber..... 3 00	
Deeds, recital..... 3 00	
Mortgages, without dower, lithographed. 5 00	
Mortgages, without dower, printed..... 2 50	
Mortgages, with dower, lithographed.... 5 00	
Mortgages, with dower, printed..... 2 50	
Mortgages, chattel, ordinary form, printed 2 50	
Mortgages, chattel, pro note..... 3 00	
Mortgages, chattel, additional security... 4 00	
Mortgages, chattel, future advances.... 3 00	
Mortgages, chattel, farm..... 3 00	
Mortgages, chattel, renewals..... 1 00	
Assignment of mortgage, lithographed... 5 00	
Assignment of mortgage, printed..... 2 50	
Assignment of chattel mortgage..... 2 50	
Assignment of agreement for sale of land. 2 50	
Assignment for benefit of creditors..... 5 00	
Lease farm (new)..... 2 50	
Lease, farm, with exemption..... 2 50	
Lease, farm, extra clause..... 2 50	
Lease, house (new)..... 2 50	
Lease, statutory, with exemption..... 2 50	
Lease, statutory, without exemption.... 2 50	
Agreements for sale of land..... 2 00	
Agreements for sale of land, mortgage clause..... 2 00	
Agreements, extending mortgage..... 2 50	
Agreements, blank..... 2 00	
Agreements, for tenancy..... 1 00	
Affidavits of execution of documents... 50	
Affidavit of claim insolvency..... 1 50	
Certificate of co-partnership..... 1 00	
Dissolution of Partnership..... 1 00	
Application for loan..... 2 00	
Bill of sale.....\$2 50	
Bond of indemnity..... 2 00	
Bond blank..... 2 00	
Bond to convey..... 2 00	
Discharge of mortgage, lithographed.... 1 00	
Discharge of part of mortgage..... 1 00	
Discharge of of chattel mortgage..... 1 00	
Declaration, statutory, lithographed.... 1 00	
Warrant distress..... 50	
Notice to tenant..... 50	
Notice to quit..... 50	
Power of Attorney (general)..... 2 00	
Release of dower, widow..... 4 00	
Release of dower, wife..... 4 00	
Release of all demands, general..... 2 00	
Release, administrator..... 2 50	
Release, executor..... 2 50	
Release, Legatee..... 2 50	
Wills..... 3 00	
Tax deeds..... 5 00	
Deed of school site..... 5 00	
Builder's contract..... 5 00	
Conveyance under power of sale..... 2 50	
Transfer Freehold Land Dower..... 4 00	
Transfer Freehold Land without dower... 4 00	
O'Brien's New Conveyancer..... 3 75	
Dominion Conveyancer..... 4 00	

THE KLIP BINDER

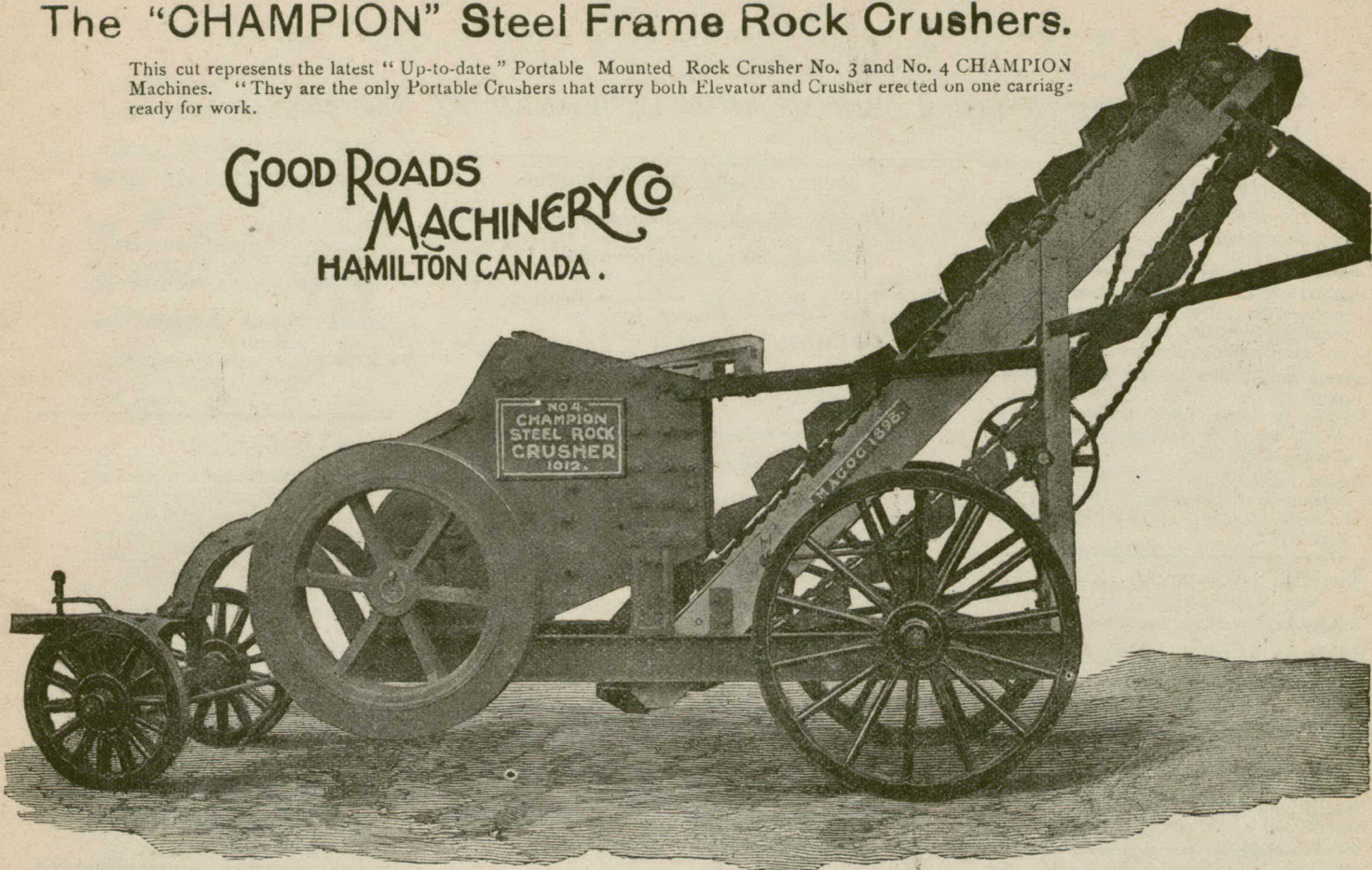


The "Klip" will enable you to bind all the papers you take. It can be put on in ten seconds. No directions needed. Price, per pair, with opening keys, 25 cents. Klips, per pair, 15 cents. Four sizes. One pair of keys will do for any size klip. When ordering state thickness of papers to be bound.

The "CHAMPION" Steel Frame Rock Crushers.

This cut represents the latest "Up-to-date" Portable Mounted Rock Crusher No. 3 and No. 4 CHAMPION Machines. "They are the only Portable Crushers that carry both Elevator and Crusher erected on one carriage ready for work.

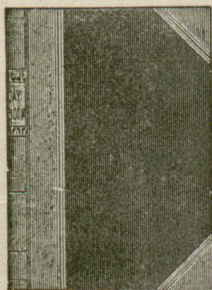
**GOOD ROADS
MACHINERY CO.**
HAMILTON CANADA.



owners of the Canadian rights to the manufacture and sale of the CHAMPION line of Roadmaking Machinery.

ADDRESS **GOOD ROADS MACHINERY CO., JOHN CHALLEN, Manager.**
Office 124 York Street, Hamilton, Ont.

THE WORLD'S STANDARD MINUTE BOOKS
For Municipal and School Corporations.



FOOLSCAP SIZE (8 x 13 1/2 INCHES) (Well Bound)
WHITE PAPER

- | | |
|---|--------|
| No. 1—200 pages | \$0 90 |
| No. 2—300 pages | 1 25 |
| No. 3 400 pages | 1 60 |
| No. 4—500 pages | 2 00 |
| Nos. 3 and 4 in Cash Book, Ledger and Journal rulings at same price. | |
| LINEN AZUKE PAPER. | |
| No. 5—200 pages, half-bound | 1 25 |
| No. 6—300 pages, flat opening | 2 25 |
| No. 7—400 pages, flat opening | 3 00 |
| No. 8—500 pages, flat opening | 3 75 |
| DEMY SIZE (10 x 15 INCHES) | |
| Extra Strong Ledger Linen | |
| No. 9—300 pages, half-bound | 3 00 |
| No. 10—400 pages, half-bound | 3 50 |
| No. 11—400 pages, flat-opening | 4 01 |
| No. 12—500 pages, half-bound | 4 00 |
| No. 13—500 pages, flat opening .. | 4 50 |
| Lettering in gold, with name of municipality, school board, etc., 25 cents extra. | |

Address all Orders to
THE MUNICIPAL WORLD,
ST. THOMAS

THE ONTARIO SEWER PIPE CO. Limited

TORONTO, ONT.

Manufacturers of.....



DOUBLE STRENGTH

Railway or Road Culvert Pipes a Specialty.

A LARGE STOCK ALWAYS ON HAND.

Write for Price List to

THE ONTARIO SEWER PIPE CO., LIMITED

60-12 ADELAIDE STREET EAST.

TORONTO, ONT

Factory at Mimico.

Agent at St. Thomas, F. M. Griffin.

ORDER FORM THE MUNICIPAL WORLD, ST. THOMAS.

MUNICIPAL ELECTION BLANKS.

Nomination forms
Section 128.

Special poll-books for 200 names, complete with ballot act and all forms required, pencils, sealing wax, etc., for each polling division

Special poll-books for 300 names, complete
Specify in order when County Council election is to be held at same time as Municipal elections.

Special poll-books, complete, do not include nomination forms required by section 128 or certificate to vote where stationed under section 163.

Sheets Poll-book paper
Schedule C, sections 149 to 155.

Poll-books, bound, to contain 200 names,
Poll-books, bound, to contain 300 names,
Poll-books, any size, to order.

Special poll-books for 200 names, bound, with form containing
Schedule D, Schedule G and Schedule I, }
for ten or more. Declaration of D. }
R. O. and oaths to be taken by }
electors.

Special poll-books for 300 names,
Special poll-books, any size, to order.

When special poll-books are ordered, the forms marked * will not be required.

Certificate to be attached to Voters' List,

*Certificate as to assessment roll and Voters' List

Declaration of inability to read, with attestation clause annexed

Statement of Voters whose votes were marked by Deputy-Returning Officer,

*Oath of deputy-returning officer after the closing of the poll

*Statutory declaration of secrecy

Ballot-paper account

Notes of objections taken to ballot papers,

Statement of votes

*Declaration of office of deputy-returning officer

Act for prevention of corrupt practices, for posting up

Directions for guidance of voters, for posting up

Packets required by deputy-returning officers at close of poll:

A, B, C, D, E,
F, G

Certificate entitling deputy-returning officer, poll-clerk and agent to vote where stationed

Agent's appointment

*Oath to be taken by electors

Ballot acts for deputy-returning officers,

Election pencils for marking ballot-papers

Sealing wax, sticks

Ballot-boxes, metal, of the most improved pattern with padlock

COUNTY COUNCIL ELECTION BLANKS.

Packets complete for nominating officers.

Packets complete for municipal clerks,

Packets complete for polling subdivisions,

Packets complete for county clerks,

Poll-books, complete, county council election only; (A),

Nominating officer's appointment

Nominating officer's duties

Copy for nominating officer's advertisement or poster

Nominating officer's posters, 15 x 22, to order

Nominating Forms

Nominating officer's certificate to county clerk of nominations received

Nominating officer's statement of expenses,

Form of ballot for making printer's copy,
Ballot-paper account

Statement of votes, deputy-returning officer to municipal clerk

Statement of votes, municipal clerk to county clerk,

Statement of votes by county clerk, showing candidates elected in each district for posting up,

Declaration of property qualification,

Declaration of office,

Statement of expenses where no election in local municipality,

Envelopes—A, B, C, D, E,
F, G

Election Acts,

Directions to voters,

Poll-book paper, poll-books and other blanks same as for municipal elections.

COUNTY COUNCIL ELECTIONS.

When an election for county councillor takes place at same time as an election to a municipal council, the county clerk should supply all forms required other than those used at a municipal election.

(A)
When county councillors only are to be elected order special poll-books, complete, for county council election, price \$1.25, which will contain everything required. These should be supplied by the county clerk

BY-LAW BALLOT ACT FORMS.

Special Voters' Lists for 200 names, complete with Ballot Act and all forms required, pencils, sealing wax, etc., for each division

Special Voters' Lists for 300 names, complete

Special Voters' Lists, complete, do not include certificates to vote where stationed under section 347.

Sheets Voters' List paper

Voters' Lists (bound) to contain 200 names

Voters' Lists (bound) to contain 300 names

SPECIAL VOTERS' LISTS FOR 200 NAMES (bound), with form containing Clerk's certificate as to Voters' Lists, declaration of deputy-returning officer, declaration of secrecy (for to or more) certificates of D. R. O., oath of D. R. O., oaths to be taken by electors

Special Voter's List for 300 names, Larger sizes to order.

When special Voters' Lists are ordered the forms marked * will not be required.

*Clerk's certificates as to Voters' List

*Declaration of deputy-returning officer

*Declaration of secrecy

*Oath of deputy-returning officer,

*Oaths to be taken by voters

Declaration of inability to read, with attestation clause attached,

Statement of voters whose votes were marked by D. R. O.

Ballot-paper account,

Notes of Objections taken to ballot-papers

Return papers for making statement of the result of the polling,

Directions for the guidance of voters for posting up.

Act for prevention of corrupt practices, for posting up,

Packets required by deputy-returning officers at close of poll:

A, B, C, D, E,
F, G,

Certificate entitling deputy-returning officer, poll-clerk and agents to vote where stationed,

Agent's appointment

Agent's declaration

By-law Ballot Acts, for information of deputy-returning officer,

Lead pencils for marking ballot-papers

Sealing wax, for sealing packets,

Ballot-boxes, metal, with padlock ..

SUPPLY DEPT. THE MUNICIPAL WORLD, ST. THOMAS

ASSESSMENT ROLLS AND FORMS

- Sheets Assessment roll paper,
- Sheets Assessment roll paper, non-resident,
- Assessment notices,
- School census books, bound,
- Declarations for parties to fill in, . . .
- Affidavit by person claiming to be placed on the roll as voter,
- Assessors' Guides, with notes,
- Municipal clerk to assessor, notice with list of lands liable to be sold for taxes, with blank for assessor's return,
- Clerk's occupied return to county treasurer,
- Assessors' certificates,
- Recapitulation of assessment roll,
- Assessment rolls, 12 sheets, cloth
- Assessment rolls, 12 sheets, leather
- Assessment rolls, 18 sheets, cloth
- Assessment rolls, 18 sheets, leather
- Assessment rolls, 24 sheets, cloth
- Assessment rolls, 24 sheets, leather
- Assessment rolls, 30 sheets, cloth
- Assessment rolls, 30 sheets, leather

The above include two sheets non-resident paper bound in each roll.

- Assessment roll, 36 sheets, cloth
- Assessment rolls, 36 sheets, leather
- Assessment rolls, 42 sheets, cloth
- Assessment rolls, 42 sheets, leather
- Assessment rolls, 48 sheets, cloth
- Assessment rolls, 48 sheets, leather
- Assessment rolls, 54 sheets, cloth
- Assessment rolls, 54 sheets, leather
- Assessment rolls, 60 sheets, cloth
- Assessment rolls, 60 sheets, leather

The above include three sheets non-resident paper in each roll.

Assessment rolls any size or style of ruling or binding to order.

Rolls with flexible cloth covers to roll same price as leather.

Covers for assessment rolls, leather back.

FORMS REQUIRED BY JURORS' ACT.

R. S. O., Chap. 61.

- Oath to be taken by selectors,
- Report of selectors, first, second, third and fourth divisions, each
- Set of forms for annual report

COLLECTORS' ROLLS AND FORMS.

- Sheets Collectors' roll paper,
- Sheets Collectors' roll paper, non-resident,
- Collectors' receipts, bound in books of 100
- Warrant to distrain for taxes,
- Notice of sale for taxes,
- Notice to tenant to pay rent to collector,
- Collector's account to treasurer,
- Collectors' bonds,
- Collector's Guide, with notes
- Collector's roll, 12 sheets, leather
- Collector's roll, 18 sheets, leather
- Collector's roll, 24 sheets, leather
- Collector's roll, 30 sheets, leather
- Collector's roll, 36 sheets, leather
- Collector's roll, 42 sheets, leather
- Collector's roll, 48 sheets, leather
- Collector's roll, 54 sheets, leather
- Collector's roll, 60 sheets, leather
- Collector's roll, any size or style of ruling or binding to order.

Rolls with flexible cloth cover to roll, same price as leather.

Covers for collector's rolls, leather backs

ARREARS OF TAXES.

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

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

- Treasurer's duplicate receipt books
- Treasurer's triplicate receipt books
- Certificate of sale for taxes
- Treasurer's tax deeds,

BLANK FORMS REQUIRED BY THE DITCHES AND WATERCOURSES ACT.

R. S. O., Chap. 28.

- B—Declaration of ownership,
- C—Notice to owners,
- D—Agreement by owners,
- E—Requisition for examination by engineer,
- F—Notice of appointment for examination by engineer,
- Notice of filing award,
- H—Engineer's certificate,
- Notice to repair a ditch,
- Summons, appeal to Judge,
- Clerk's ditch award record-book
- Consolidated Drainage Laws
- Set of 300 forms, assorted, in heavy manilla stationery envelope*

DRAINAGE ACT FORMS.

R. S. O., c. 226.

- Petition of owners,
- Oath of engineer,
- Notice to party assessed,
- Oath of member of court of revision,
- Summons, court of revision,
- Notice of complaint,
- List of appeals,
- Notice to repair a drain,
- Clerk's record of drainage by-laws and assessments,

TILE, STONE AND TIMBER DRAINAGE ACT.

R. S. O., Chap. 41.

- Owner's application for loan,
- Statutory declaration of applicant for loan.
- By-law imposing special rate
- Debentures

LINE FENCES ACT.

R. S. O., Chap. 284.

- 1. Notice to opposite party
- 2. Notice to fenceviewers,
- 3. Fenceviewers' award,
- Line Fences Act, (with notes,)

POUNDKEEPERS' FORMS.

- Agreement with poundkeeper
- Poundkeeper's notice to clerk,
- Poundkeepers' statements,
- Acts respecting pounds,

FORMS REQUIRED UNDER THE VOTERS' LISTS ACT.

FOR USE OF CLERK.

Form 1—For making printer's copy of Voters' List, Subdivisions

State number of polling subdivisions in list when ordering Form 1.

Form 2—Certificate to be endorsed on Voters' List,

Form 3—Clerk's notice of first posting of Voters' List,

Clerk's voters' list book

Form 4—Voters' notice of complaint, ground of disqualification,

Form 5—Notice and application by voter to whom persons have transferred property,

Form 6—Voters' notice of complaint,

Form 7—Clerk's report in case of appeals and complaint to the judge,

Form 9—Notice to be posted by clerk in his office with list of complaints,

Form 10—Clerk's advertisement of Court in newspaper

Form 11—Clerk's notice to parties complaining,

Form 12—Clerk's notice to parties complained against,

Form 14—Report of clerk when applying for certificate under section 20,

FOR USE OF COUNTY JUDGE.

Form 8—Judge's order for appointing court of hearing of complaints and appeals,

Form 9a—List of appeals for use of Judge at Court,

Form 13—Subpœna referred to in section 18,

Form 15—Certificate of no complaint,

Form 16—Statement of alterations by Judge on full sheet,

Form 17—Certificate of Judge,

Form 18—Order for payment of costs,

Form 18a—Order for payment of bailiff's costs,

Form 18b—Assessor's costs, per doz

Form 18c—Clerk's costs,

Form 19—Writ of execution,

Form 20—Order of assessment of persons omitted from roll,

Form 21—Application to Judge against delinquent clerk,

Form 22—Summons—"The Voters' List Act,"

PUBLIC HEALTH ACT.

Placards of Contagious Disease on heavy card for posting up.....
Typhoid Fever,

.....Measles,

.....Scarlet Fever,

.....Diphtheria,

.....Small-Pox

.....Whooping Cough,

Report of infectious disease,

Report of death or recovery from infectious disease,

Certificate of Vaccination,

Certificate of Unsusceptibility,

Consolidated Public Health Acts,

PUBLIC SCHOOL ACT FORMS.

Clerk's notice to trustees with blank requisition on council for school moneys,

Trustee's order on treasurer for amount due section,

Notice by township council re alteration of boundaries of section,

Assessor's report of equalized assessment of union school section,

Agreement for engagement of teachers,

Notice to parent or guardian of neglect to educate child,

Oath to be taken by electors voting for school trustee,

School Section Rate Books,

MISCELLANEOUS BLANKS.

Declaration of office,

Section 312.

Declaration of office,

Section 313.

Declaration of auditor,

Declaration of property qualification,

List of appeals against the assessment roll,

Notice to attend court of revision,

Oath of member of court of revision,

Notice of appointment to office,

Collector's bonds,

Treasurer's bonds,

Treasurer's receipts, in books of 100

Treasurer's receipts, in books of 200

Orders on treasurer, in books of 100

Orders on treasurer, in books of 200

Notice to contractors, jobs for sale,

Bonds to complete contract,

Affidavit to be taken by persons having sheep killed,

Notice to pay poll-tax,

Auctioneer's license,

Peddler's license

Mortgage statement,

Blank resolutions, in pads of 100..

Recapitulation of Assessment Roll for County Clerk,

For Sheriff—

Pay lists Grand Jurors,

Pay lists Pettit Jurors,

MARRIAGE ACT.

R. S. O., Chap. 162.

100 page register for clergyman with index,

200 page register for clergyman with index,

Blanks for clergyman's half yearly returns,

DEBENTURE FORMS.

Municipal debentures, with coupons

Municipal Debentures without coupons,

School debentures,

Debenture Registers,

STATUTE LABOR FORMS.

STATUTE LABOR LIST No. 1—containing space for thirty names, with extract from Noxious Weeds Act, Duties of Pathmaster and Special Instructions by the Provincial Instructor in Roadmaking,

STATUTE LABOR LIST No. 2—(Half foolscap, very neat) for eighteen names, with extract from Noxious Weeds Act, Duties of Pathmaster and Special Instructions by the Provincial Instructor in Roadmaking,

STATUTE LABOR BOOKS, in which to keep record of Pathmasters and Statute Labor Lists,

Pathmasters to council—Certificates of gravel drawn,

BOOKS FOR MUNICIPAL OFFICERS

Birth, death and marriage registers

School Laws and Regulations

Clark's Magistrate's Manual.....

Lytle's Rate Tables.....

The Municipal Lawyer.....

Be your own Lawyer

The Canadian Lawyer

Clark and Scully's Drainage Cases

Ditches and Watercourses Act....

Drainage Laws

Revised Statutes.....

Ontario Statutes

Assessors' Guide

Collectors' Guide

DOCUMENT CASES.

(Heavy Manilla)

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2, 4 $\frac{1}{4}$ in. x 11 in. x $\frac{3}{4}$ in., per doz.

3, 4 $\frac{1}{4}$ in. x 11 in. x 1 $\frac{3}{4}$ in., per doz.

4, 4 $\frac{1}{4}$ in. x 13 $\frac{1}{2}$ in., flat, per doz.

5, 4 $\frac{1}{4}$ in. x 13 $\frac{1}{2}$ x $\frac{3}{4}$ in., per doz.

6, 4 $\frac{1}{4}$ in. x 13 $\frac{1}{2}$ x $\frac{3}{4}$ in. (extra) per doz.

7, 4 $\frac{1}{2}$ in. x 13 $\frac{1}{2}$ x 2 in., per doz.

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Foolscap size, flat, per dozen

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No. 2 — $\frac{1}{2}$ -inch Shanks.....

No. 4 — $\frac{3}{4}$ -inch Shanks.....

No. 5 — 1-inch Shanks.....

Per 100.....

Per 100, assorted

"The Best" Small Paper Clips,

Per box.....



THE MUNICIPAL WORLD

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

Vol. 9. No. 12.

ST. THOMAS, ONTARIO, DECEMBER, 1899.

Whole No. 108

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Calendar for December, 1899.

DEC. 1.	Chairman of Board of Health to report to the Council on or before this date.—Public Health Act, schedule B, section 3.
	Last day for appointment of School Auditors by Public and Separate School Trustees.—Public Schools Act, section 21 (1); Separate Schools Act, section 28 (5).
	Municipal Clerk to transmit to County Inspector statement showing whether or not any county rate for public school purposes has been placed upon Collector's Roll against any separate school supporter.—Public School Act, section 68; Separate School Act, section 52.
	Last day for councils to hear and determine appeals where persons added to Collector's Roll by Clerk of Municipality.—Assessment Act, section 166.
4.	Last day for publishing notice of County Council Nomination.—Section 132 (2) Municipal Act.
5.	Make return of contagious diseases to Registrar General. R. S. O., chapter 44, section 11, sub-section 4.
11.	Nomination Day, where fixed by by-law of county council.—Section 125.
12.	Last day for Public and Separate School Trustees to fix places for nomination of Trustees. Public School Act, section 57 (2); Separate School Act, section 31, (5). Returning Officers to be named by resolution of the Public School Board (before second Wednesday in December).—Public School Act, section 57 (2).
	County Roads Convention, Toronto.
14.	Last day for payment of taxes by voters in local municipalities passing by-laws for that purpose.—Municipal Act, section 535.
	Last day for Collectors to return their rolls and pay over proceeds, unless later time appointed by council. Assessment Act, Section 144.
	Local assessment to be paid Separate School Trustees.—Separate School Act, sec. 58.
15.	Municipal Council to pay Secretary Treasurer Public School Boards all sums levied and collected in township.—Public School Act, section 67.
	County Councils to pay Treasurer High School.—High School Act, section 31.
	Councils of towns, villages and townships hold meeting.—Municipal Act, section 304 (6)
	Pass all accounts for subscriptions, etc., due THE MUNICIPAL WORLD and order election supplies, etc.
16.	Last day for publishing Notice of Nomination.—Section 127.
18.	County Council Nomination Day.—Section 133.
20.	Last day for Treasurer to send Clerk list of all who have not paid their taxes.—Municipal Act, section 292.
21.	Last day for notice of Formation of New School Sections to be posted up by the Township Clerk.—Public Schools Act, section 11 (5).
22.	Nomination Day.
	Public and Separate Schools close.—Public School Act, section 91 (1); Separate School Act, section 81, (1).
25.	High Schools close, first term.—High School Act, section 42.
	CHRISTMAS DAY.
	High School Treasurer to receive all monies collected for permanent improvements.—High School Act, section 37 (1).
	By-law for dis-establishment of Township Boards takes effect.—Public School Act, section 30 (1).
	New schools and alteration of school boundaries go into operation or take effect.—Public School Act, section 24 (2); section 38 (3); section 39 (3); section 43 (10).
26.	Last day for posting up Annual Statement of assets and liabilities in Townships, Towns and Villages.—Municipal Act, section 304 (7).
27.	Annual Public and Separate School Meeting—Public School Act, section 13; section 57 (1); Separate School Act, section 27 (1); section 31 (1).
31.	Roll to be finally revised by Judge when assessment taken between 1st July and 31st September.—Assessment Act, section 58.
	Road Commissioners cease to hold office.—Assessment Act, section 120.
	License Commissioners cease to hold office.—Liquor License Act, section 3.
	Protestant Separate School Trustees to transmit to County Inspector names and attendance during the last preceding six months.—Separate School Act, section 12.
	Trustee's report to Truant Officers due.—Truancy Act, section 11.
	Auditors' report of Cities, Towns and Incorporated Villages to be published by Trustees.—Public School Act, section 62 (11).
	Persons liable to Municipality on Mortgage to state balance due thereon to head of Municipality.—60 Vic., c 48, s 22.
JAN. 1.	A HAPPY NEW YEAR TO ALL.
	Renew subscriptions to MUNICIPAL WORLD for 1900.

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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.	} Associate Editors
J. M. GLENN, Q. C., LL.B.	

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

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THE MUNICIPAL WORLD,

Box 1321, St. Thomas, Ont.

ST. THOMAS, DECEMBER 1, 1899.

The Index to "Questions and Answers," published during the past year, appears in this issue in a new form, which will facilitate reference to all questions relating to the different sections of the various municipal acts, according to the classification given in the Revised Statutes. We are also printing the index separately, and will be pleased to supply it to all subscribers who may desire to have their copies of THE MUNICIPAL WORLD bound.

* * *

The County Council of York has invited the other County Councils of the province to send delegates to a meeting to be held in the old Court House, Toronto, on Tuesday and Wednesday, the 12th and 13th days of December next. The important question of "Better Roads" will be considered in all its phases, but more especially from the standpoint of the assumption of leading highways by the county.

* * *

The question of County Roads is of great importance. We do not think sufficient time has been given to enable every county council to consider the matter and would suggest that a second meeting be held in February next, and that all county councils appoint delegates at their first meeting in January.

* * *

C. C. Robinson, solicitor, Toronto, drew up a by-law in connection with the guaranteeing of Stouffville water works debentures by the County Council, and as there was no resolution passed by this council authorizing the work to be done they refused to pay the solicitor's bill of \$50.

He sued in Markham Division Court and the decision which was given by Judge Morgan is in favor of Mr. Robinson.—Tribune.

Only seven days elapse between the Statutory Council meeting on 15th and nomination day on 22nd of December. This is a brief period in which to prepare and post up the Financial Statement mentioned in sub section 6 of section 304 of the Municipal Act. The intention of the enactment was to have the information furnished by the financial statement published prior to nomination day, and the 24th of December is mentioned as the last day for such publication. The fact that nominations are held before the last Monday in December appears to have been overlooked.

It will facilitate matters if the statement is put in type before the meeting on the 15th. Any alterations suggested by the council can then be made, and the statement posted up before nomination day as usual.

* * *

If the number on your address label is 108 your subscription ends with this issue.

We will be pleased to have renewal orders from all, and from those who are retiring from municipal life, a recommendation to their successors in office. We have to depend largely on the co-operation of those in office and to them our thanks are due for the good progress made during the year. The Supply Department has, during the past year, received an encouraging support. This is necessary, owing to the low subscription rate and increasing demands on the Question Drawer for special legal information, which, if obtained from other sources, would cost much more. THE WORLD'S Souvenir Catalogues will be distributed this month, and as usual will show that we are in a position to fill all orders for blank forms, books, stationery and office supplies, required by municipalities.

* * *

Attention should be called to a very important amendment made to Sec. 58 of the Public Schools Act, by Sec. 8 of Chap. 36,—62 Vic. (Ont. Stats. 1899). The amending section adds an additional sub sec. to sec. 58—No. 6—as follows:

(6) In towns and incorporated villages the trustees may, by resolution, limit the number of trustees constituting the public school board to six, provided that at least one month's notice was given of the intention to consider the resolution to that effect. When such resolution has been adopted the election for school trustees shall thereafter be by vote of the electors of the whole municipality. Any reduction so approved shall not come into operation until the close of the school year. The board shall by lot determine what trustee or trustees shall retire in addition to the number retiring by annual rotation in order to admit of the election of three new trustees at the next annual meeting, and thereafter three trustees shall be elected by the ratepayers of the whole municipality each year to fill the place of the same number retiring by rotation annually.

Voting on By-Laws Requiring the Assent of the Electors.

There are a number of instances in which by-laws, before the final passing thereof, are required by statute to receive the assent of the electors of the municipality, in accordance with the provisions of Section 338 and following sections of the Municipal Act. Section 355 provides that where a municipality is divided into wards each ratepayer shall be entitled to vote in each ward in which he has the qualification necessary to entitle him to vote on the by-law. The object of these by-laws is usually the raising of money by the issue of debentures of the municipality, or the exemption from taxation of some manufacturing institution for a period of years. The result in either case is an increase in the rate of taxation of the locality. In the one case by adding to the municipality's liabilities, and in the other, by withdrawing from taxation what would otherwise be revenue-producing property. Of this increased burden the ratepayer with one vote will be called on to pay five times as much as he with the five votes. The present state of the law renders it possible that a municipality would be saddled with an additional indebtedness by the votes of ratepayers having the smallest assessments, and whose portion of the liability thereby incurred would be much less than that of the ratepayers having the largest assessments and but one vote. This does not appear to be an equitable condition of things, and appeals to the Legislature for a remedy. He who has the larger assessment should have the most to say as to the passage or defeat of a by-law creating a debt; or better still, the principle of "one man, one vote," should govern. In this connection attention is drawn to question number 469 in this issue.

The arbitration regarding the boundary road between the townships of North Monaghan and Cavan, in the county of Peterborough, which opened at the Court House of the county some days ago and adjourned, has been called off, as a settlement has been arrived at satisfactory to both parties who have consented to the withdrawal of the arbitration. The County of Peterborough and the united Counties of Durham and Northumberland each made a grant of \$150, towards the boundary road, but Peterborough's grant was attended by a rider which said Cavan must also expend \$50 on the road. This rider has been withdrawn and this aided considerably in the settlement of the difficulty. The two counties will now expend \$300 on the boundary.

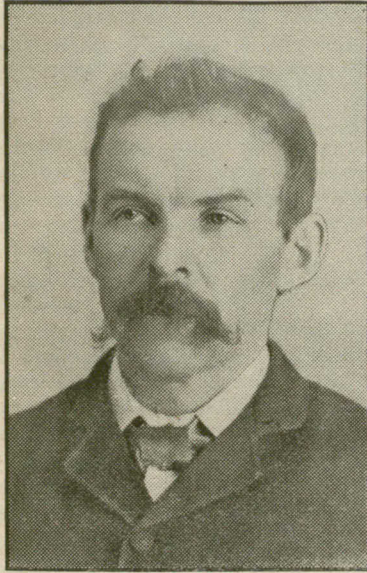
* * *

By a vote of 129 for and 113 against, the separation of Allandale from the Town of Barrie, carried on the 1st November last. The ratepayers of Allandale have also voted on and carried a similar by-law.

Municipal Officers of Ontario.

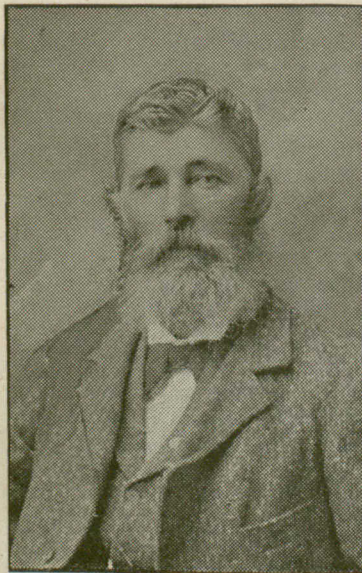
Clerk Township of Hagerman.

Mr. Macfie is a son of the Scottish Manse, being born in 1850 at Portnahaven Islay. He attended Parish School



MR. F. N. MACFIE.

until 16 years old, and served a five years' apprenticeship with the Engineering firm of Randolph Elder & Co., Glasgow. He then went to Sir William McOnie's & Cranston Hill Offices as an improver. In 1875 he went to sea as 4th engineer on S. S. "State of Pennsylvania"; in 1876 he went to Burmah as Assistant Manager to W Strang Steel & Co. Mr. Macfie



MR. JAS. McNEIL.

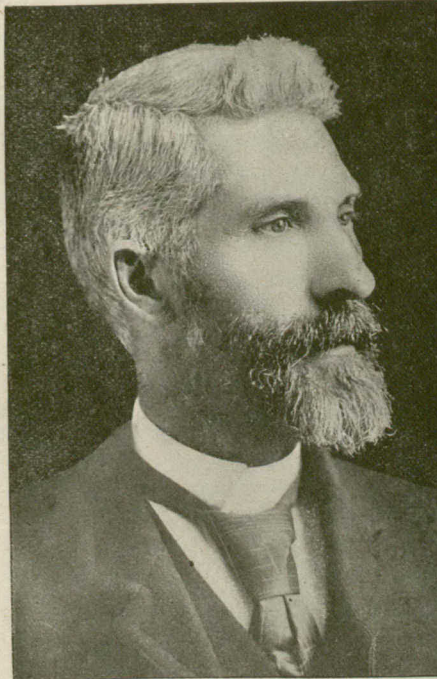
came to Canada and started farming in 1880. He was appointed township clerk and treasurer on organization of township in 1890 which position he has since held.

Clerk Township of Bedford.

Mr. McNeil was born at North Crosby in 1847. He was educated in the common school, and then engaged in farming. He was assessor of the township of Bedford for 2 years and collector for 3 years and was appointed township clerk in 1889. In addition to his municipal offices Mr. McNeil is a commissioner and justice of the peace.

Clerk Township of South Crosby.

Mr. Dargavel was born of Scotch parentage in the township of South Crosby in 1846. For over 30 years he has conducted one of the best general stores in the County of Leeds. He succeeded his father in the office of Township Clerk in



MR. DARGAVEL.

1874. In addition to his municipal offices, Mr. Dargavel is actively interested in farming and cheese-making, and is a director of the Dairymen's Association of Eastern Ontario.

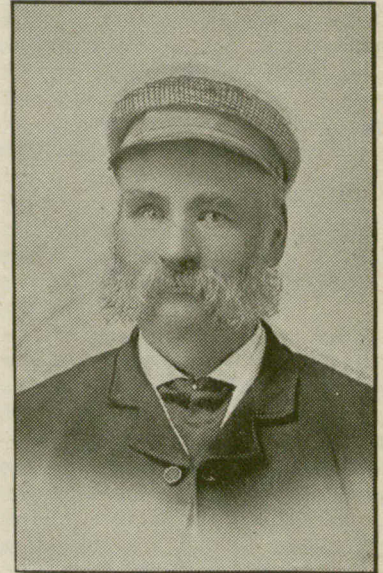
Clerk Township of Edwardsburg.

Mr. Carmichael was born in Ireland in 1837, and came with his parents to Canada and settled in the township of Edwardsburg. He was educated at the public school, after which he carried on business as carriage blacksmith for about 15 years when he started a general store in the village of Spencerville. He was elected councillor in 1871 and was deputy reeve for several years, and in 1891 he was appointed clerk for the town-

ship of Edwardsburg. Mr. Carmichael has always taken an active interest in the 56th Battalion, having organized No. 7 Company in 1868. He retired in 1898 retaining rank as Lieutenant-Colonel.

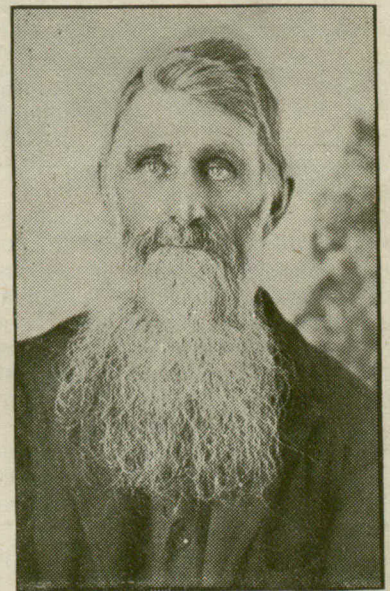
Clerk Township of Perry

Mr. Clearwater was born in the state of New York in 1830. He was educated at the common school, and was a bridge



LIEUT.-COL. CARMICHAEL.

builder for many years. When he first came to Ontario he settled in Whitby and afterwards removed to the township of Perry in the district of Parry Sound which at that time was without organization. Mr. Clearwater was trustee of the first school, and in 1888 when the township was organized, he was appointed clerk.



MR. E. B. CLEARWATER.

In addition to his municipal office, Mr. Clearwater is a commissioner and issuer of marriage licenses.

NOMINATIONS.

The provisions of the Municipal Act divide the municipalities into eight classes for nomination purposes.

The following tabular statement will show when and where nomination meetings for 1899 should be held, and municipal officers to be nominated.

STATEMENT.

MUNICIPALITY.	DATE.	MAYOR.	WHERE.	ALDERMEN.	WHERE.
I. CITIES..... Sections 118 and 119	22 December	10 a. m. to 11 a. m.....	At City Hall..	12 noon to 1 p. m. or if by-law passed under section 120, 7.30 p. m. to 8.30 p. m..... (Councillors)	At City Hall or place in each ward fixed by by-law..
II. TOWNS— Divided into wards; popula- tion over 5,000..... Sections 118 and 119.	22 December	10 a. m. to 11 a. m. or if by law passed under section 120, 7.30 p. m. 8.30 p. m.....	At Town Hall	12 noon to 1 p. m. or if by-law passed under sec. 120, from 7.30 to 8.30 p m.....	At Town Hall or place in each ward
III. TOWNS. Not divided into wards, popu- lation over 5,000..... Sections 118 and 119.	22 December	Same.....	At Town Hall	Same.....	At Town Hall.....
IV. TOWNS. Divided into wards, popula- tion 5,000 and under..... Sections 118, 119 and 71a.	22 December	10 a. m. to 11 a. m. or if by-law passed under section 120, 7.30 p. m. to 8.30 p. m.....	At Town Hall	Same.....	At Town Hall or place in each ward
V. TOWNS. Not divided into wards, popu- lation 5,000 and under..... Sections 118, 119, and 71a.	22 December	Same.....	At Town Hall	Same.....	At Town Hall.....
VI. VILLAGES..... Sections 119 and 120.	22 December	12 noon to 1 p. m. or if by-law passed under section 120, 7.30 p. m. to 8.30 p. m.....	At Town Hall or at such place as may be fixed by by-law.....	Same.....	At Town Hall or at such place as may be fixed by by- law.
VII. TOWNSHIPS..... Sections 119, 122 and 123.	On 22 December, or if by-law passed by county council under section 125 on 11 December..	12 noon to 1 p. m., or if by-law passed under section 122, 1 to 2 p. m. (County Councillors.)	At Town Hall or place fixed by by-law un- der s 123.....	12 noon to 1 p. m., or if by-law passed under section 122, 1 to 2 p. m.	At Town Hall or place fixed by by- law under s. 123.
VIII. COUNTIES..... Section 133.	18 December, or in case of vacancy by death or other- wise, or at such other time prior to the June meet- ing as may be di- rected by warrant of the warden or county clerk (if wardenship vac- ant) section 217.	1 p. m. to 2 p. m.....	At place in each district fixed by Nom. Officer ..		

Nomination Proceedings.

NOTICE.

It is the duty of the clerk or other returning-officer to give, at least, six days' notice of nomination meeting. For county council nominations, two weeks' notice is necessary. Notice may be given by advertisement in newspapers, or printed posters.

NOMINATIONS, SEC. 128.

The persons nominated to fill each office shall be proposed and seconded (*seriatim*) and every such nomination shall be in writing, shall state the full name, place of residence, and occupation of the candidate, and shall be signed by his proposer and seconder.

The change in the law requiring nominations to be in writing came into force on first of January, 1899. Nomination forms should be provided for use at the nomination meetings.

The tabular statement shows the municipal officers to be nominated at the meetings. In towns where ward elections have been abolished, either by by-law or the amendments of the act of 1898, the number of councillors has been reduced.

RESIGNATIONS

may be handed to the returning officer at nomination meeting or on the following day, at any time before 9 o'clock p. m.

The nomination meeting continues one hour, during which candidates proposed may resign verbally, but after the nomination meeting all resignations must be in writing, signed and attested by a witness and delivered to the clerk or returning-officer within the time mentioned. When resignations are not received in time or in proper form a clerk has no alternative but to hold the election.

A nominating or returning officer should not refuse to accept a nomination paper for the reason that he has a personal knowledge of the fact that the person nominated thereby is not a legally qualified candidate; the responsibility of deciding this question should be left to the courts. The Municipal act does not make it the duty of such officer to read each nomination paper to the assembled electors, either when handed to him or at the close of the nomination meeting. He may do this, however, as a matter of courtesy. At the close of the nomination meeting he should announce the names of the candidates placed in nomination. The nominator and seconder of a candidate should both be present at the nomination meeting, and should be electors of the municipality. It is not necessary that a person nominated should be present at the meeting.

ENGINEERING DEPARTMENT.

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

A County Roads Convention.

The action of the council of the County of York, at its session held last month, arranging for a convention of delegates from all of the county councils in the province, to discuss and decide upon a uniform system for making and keeping up the leading highways in the province, is an important step as well as an evidence of the substantial growth of the movement for better roads.

Many councils have, within the past couple of years, taken up the question of county roads for consideration, Victoria, Peterborough, Glengarry, Wentworth, Dufferin, Oxford and others. The County of Grey also considered the question at its last session.

A proper consideration of a county road system involves a careful consideration of the whole question of road improvement, and in order that the most useful and profitable plan for keeping up the leading thoroughfares may be adopted, it is well to have the question discussed from every standpoint, and is necessary that the fullest possible information should be obtained before any changes are made.

It is not enough to say that every county council is capable of devising a scheme most suitable to their requirements, because the conditions and requirements of every county in the province are so identical that one system should be applicable to all. In the interest of all, the best should be adopted.

To secure this, it is wise that a convention of delegates from every county council should be held to decide upon this system. The County Council of York, after having gone into the subject, became convinced that it was vaster than they had anticipated. Providing the ways and means, framing the plan of roads to be comprised in the system, levying a tax, supervision and management, and all such details, involved the expenditure of much time and thought, and it was at once seen that the difficulties arising in their case would no doubt arise in other councils, that a gathering of representatives, each with some special knowledge of the different points, would be the easiest form of solution, and at once profitable to every county in the province.

A proper connection of the work and its systematic performance, connecting concession, lateral and main roads in every township, is necessary. A proper connection of these main roads in every township in the county is desirable, and the ideal is only reached when a proper connection of main roads in every county throughout the province is obtained.

If a county system is to be adopted should the towns and cities be assessed? If a uniform system for improving the leading roads is adopted, should provin-

cial aid be required? These are matters which can more profitably be considered by a convention of county councils than by these bodies separately. It is to be earnestly hoped that when this meeting is called it will be met with a liberal response from every county council, being assured that whatever the result may be, the cause of better roads will have been advanced by the discussion.

County Roads

It is all well, and just, that the maintenance of little travelled roads, those which serve only a few farmers, or a small neighborhood, should rest upon the immediate locality using them.

But there are other main roads which receive the traffic from the roads of lesser importance. Upon these main roads travel concentrates more and more as the market centres are approached. The maintenance of these leading highways in consequence becomes expensive, and the funds available in most cases are insufficient to keep such heavily travelled roads in a satisfactory condition.

For these roads, it is only just that the means of maintenance should be gathered from the entire district served, not from the farmers alone who happen to own the lands adjacent. This is a matter which can only be remedied properly by controlling these leading roads under a county road system.

Not only so, but under a county system a portion of cost of road building is levied, in the county rate, against the towns and villages within the municipality. This is only fair and just, as towns and villages receive equal benefit with the farmers from good main roads. The statutes too should be so amended as to permit a tax for county roads being levied against cities as well. When towns, villages and cities assist in paying for roads, a matter which it is in their own interest to do, the roads will be vastly improved, and the farmers who now bear the entire cost, will receive a just measure of relief.

There are few roads gravelled or otherwise metalled in a manner that combines both economy and good service. If there is good service, it has been obtained at an enormous waste of metal. If it has been cheaply done, then the other element is lacking. There is a large annual waste throughout the townships in the manner and material with which they build culverts, sluiceways and bridges. A great many townships, are still totally without modern roadmaking machinery, and few have a full equipment. Most townships, in addition to statute labor spend an annual appropriation of from one to three hundred dollars, aggregating in a term of ten years from ten to thirty thousand dollars. This is a large sum, too large to be spent indiscriminately and without efficient and responsible supervision.

Naming Streets.

In cities and large towns it becomes a necessity to have the names of streets prominently placed at the street corners, while in smaller towns and villages where this is now neglected, it would be found a convenience worth the trifling cost. The common method of placing the names of streets, is in black letters with a white ground, painted on a narrow board or slat, which is attached to the corner house, the fence, a tree, telegraph post, lamp post, or other post extemporized for the occasion.

It has been suggested by a writer in a *Sarnia* paper that the names of the streets be stamped in the cement concrete sidewalks at corners, when the walks are being laid. There is a considerable part of the year when the names would be obscured by sleet and ice, but the plan is one which would be simply effected and would serve a useful purpose.

This purpose is to accustom the people of the municipality to the names of the streets, so that the localities may be more easily described. It is true that it would not be very useful to a stranger in the place to be told that a person whom he wishes to find, lived on a certain street, if the only way of ascertaining the street was to dig up the ice and snow at every corner until he found the right street. But when the names of the streets are known to the people of the town, inquiries are more easily answered by anyone whom a stranger may meet on the street.

Names of streets are just as necessary as names of men. Streets may be described—"the street with the little red house on the hill" or "the road in front of Mike Conavan's tavern." But it would be equally convenient to describe the Mayor by some distinguishing characteristic such as "the fat man with the bald head and a scar on his nose." Names are, in any case, merely a matter of convenience, to save long descriptions and to avoid ambiguity.

In the case of streets, it is a matter worth the attention of every municipal council to adopt some measure to teach the citizens the names of the streets, and if possible, to have these names in as prominent a place as possible. The latter is not the sole object, however, and if only such means can be adopted as will save awkward descriptions among citizens like "the street with the green fence and the yellow gate on one corner" in place of a simple "Mary Street," a useful purpose will be served. And the councillor to whom the credit of such a step is due, will have earned some measure of gratitude from his supporters.

Police Magistrate S. E. Mitchell of Pembroke, has entered suit for the sum of \$750, for rent of the place he uses as an office and for stationery, with which he supplies himself as a dealer in school books and school supplies. The town solicitor has been instructed to defend the suit.

Regarding Roads.

To all classes of the country bad roads are a fearful drawback. The farmer feels their influence most directly, interfering as they do with all his daily social and business relations. During certain seasons of the year he is isolated, even in a measure from his nearest neighbor. He cannot attend church, nor the public meeting, and his children cannot reach the school, with the result that farming is generally regarded as dull and monotonous. The towns, too, feel keenly the effect of the retarded development of the rural districts, and the business of the nation is much impeded. Very much has been said for a number of years of the undeveloped resources of Canada, and the need of action in this regard. This is very true, no doubt, but there is greater need for emphasizing the need of taking better care of our resources which are developed. And to this end there is nothing to which we can more consistently commend attention than the improvement of country roads.

* * * *

In one of the finest fruit growing localities of Ontario an exceptionally good road was built a few years ago. A prominent grower and nurseryman living beside this road has stated that since its construction he has been able to double his business, and there is no doubt that others would have similar experiences to relate. This road is an exceptionally good one. It has steel tracks, and electricity is the motive power used in place of horses. But while it is an electric road, it is but an example, although an exaggerated one, of what good roads will do.

* * * *

Alongside this electric road is an old country road which has been in existence and travelled upon ever since the first pioneers came into Western Ontario. It shows its age, but not in a way which flattery would dare to call a "ripe old age." For blight evidently overtook it before it emerged from the bud. It is no matter of surprise, therefore, that a good road in its place would redouble business, for the old road, while it exhibits in a few places some attempt to improve its condition, shows nothing so much as neglect and the utter absence of a knowledge of the first principles of roadmaking. It has been gravelled where grading was needed; graded where draining was needed; but in the main nothing is being done to it, where a few hours' work with proper machinery would render its condition infinitely better. And this is but a sample of the average road throughout the country.

* * * *

Bad roads, whether dusty, muddy, rough, or from any cause heavy, change what should be one of the advantages of farm life into one of its most disagreeable features. The isolation of farm life has been one of the greatest causes of sending

young men to fill the crowded city ranks of all grades, leaving the farming population at a very low ebb. It is the reason why so many of the brightest of the younger generation press into the towns and cities in order to escape the dullness of the country. As has been said, one of the greatest pleasures of country life, driving and travel, remains as one of its most serious drawbacks—bad roads.

* * * *

Farming is a business which can be carried on as successful and in as intelligent a manner as the industries of the towns and cities, but the difficulties of travel repel rather than attract. Distance does not constitute the difficulty. It is absence of proper means to overcome it. With good roads the agricultural community will discover a means of attracting rather than repelling population.

* * * *

No farming country ever had a good appearance however fertile and productive, when looked at from a road that is rough or dusty, or a river of mud. Appearance even in farm lands is of as much importance as in a house or carriage. It is a well known fact that a properly designed street transforms the appearance of city property, and greatly increases the value. A good appearance is a source of pleasure to the owner and a good many dollars in the eyes of the purchaser. Good roads affect the appearance of farm land in a way that is startling, and those who have any doubt of the matter cannot do better than make the experiment. When a bad road is made good, those who use it have an opportunity to turn their eyes away from ruts and mud, to look at features of far greater attractiveness which no locality of Ontario is without.

* * * *

In spite of the great value of good roads. It is not proposed that we should go into an expensive plan of construction. While in some instances, added expenditure is necessary, much remains to be done without any extravagant measures. It would pay many localities to spend more than they are doing at present on their roads, but that will, no doubt, come in time, will be demanded by the people themselves. What we would urge at present is the adoption of a more efficient system than is now employed, and the study and observance of the right principles of roadmaking.

* * * *

That statute labor is so defective, is the fault of the average farmer, who is just as prone to human carelessness and indifference, we are led to believe, as any others who tread the different walks of life. Statute labor is slighted in ways well known, by the taxpayer, individually and collectively. Some do their duty of course, and others try to do it. Some will not do their duty, and try to keep others from doing it. Some would do their duty, but seeing the carelessness of others, feel the injustice of the system, and so are as careless as the rest.

Even if there were honest endeavor to do the required amount of labor, the system would still be unproductive of the best results for many reasons. It is not a system which provides for the needs of the roads, as much as for the wishes of the men who do the work. This applies to the kind of work done, whether grading, ditching or graveling; to the time it is done, and to the locality where it is done. No matter how much grading may be needed, no matter how much ditching is needed, if it is more convenient for the farmer to draw gravel, he does so, and the other work is neglected. It is the same under other conditions, and grading and ditching are very often done to the neglect of graveling if the former involve less bother. And so it goes, the man who is doing the work, not the work itself, being the first consideration.

* * * *

In the care of roads, there is a proper time for doing work, and no other time will do so well. No other time will be so satisfactory. No other time will keep the roads in good condition at the minimum of expense. But this under the statute labor system is an impossibility. This labor is available only at one time of the year, and it is not then devoted to a proper scheme of repairs. Repairs are made only when the road is entirely worn out. Once placed in good condition, they are neglected, and allowed to become almost impassable before repairs are made.

* * * *

The work under statute labor is not done at the points where it is most needed, but it is an unwritten law that the pathmaster for the year will look after his own interests, even to the extent of digging a ditch which will benefit only his own farm, without benefit to the road, possibly to its own detriment.

* * * *

There is no need for condemning in any way, the pathmasters for the misuse of statute labor. They hold office for a year at a time, and cannot be expected to devote themselves to a study of roadmaking. Roadmaking in any case, and in spite of the commonplace nature of the subject, is a matter requiring a considerable amount of application and experience. Certainly no farmer, with only a year's tenure of office before him can qualify himself to become a successful roadmaker. Nor will his desultory experience of a lifetime, with only the ordinary Canadian models to guide him, make him sufficiently well qualified as a roadmaker to obtain the best results with the money and labor at his disposal. And certainly in view of the strict economy required, there is no money to waste in useless experiments. Roads are too important to be left to the experiments of pathmasters for generation after generation. The time must come when statute labor must be superceded by a business-like system.

Sewage Disposal.

The septic tank treatment for the disposal of sewage has for some time attracted the attention of civil engineers, and recently City Engineer Rust, of Toronto, after inspecting a system in Champlain, Ill., has recommended that \$3,000 be placed at his disposal for the construction of an experimental tank. Small plants have been in use in the United States for large public institutions during the past couple of years, at Verona, N. J., and near Chicago, Ill.; while an experiment for the city of Columbus, Ohio, has met with success. If the plan is feasible, it may offer a solution of Toronto's sewage problem, of which that city stands greatly in need.

The following description of the method of treatment in Exeter, England, where it was first applied, appeared in a Scotch paper and presents a very clear idea of the system.

"In a pleasant riverside meadow on the outskirts of Exeter, is a small railed-off area, within which has been put to a practical test an invention of the city surveyor for dealing with the sewage of the borough. All that the visitor sees is a mound covered with grass and a shallow concrete lake, neither being larger than the dining or drawing-room in an ordinary house. Yet for two years the sewage of a district containing a population of two or three thousand people has, after passing through the works, flowed into the river colorless and absolutely innocuous, and that without having received any mechanical or chemical treatment whatever.

The whole of the work is done by the merry microbe. The grass covered mound referred to is the roof of an airtight and light-tight tank into which the crude sewage flows. There it remains for a number of hours. The conditions are highly favorable for the multiplication of the bacteria which fatten on corruption, and so rapidly do they increase, and so voracious do they become, that in a comparatively short time all the solid organic matter in the sewage is dissolved into liquid. A valve automatically opens and allows the contents of the tank to escape into a little channel, which conveys it to the concrete lake, the bed of which is covered with small coke or "breece." The channel and the lake are the microbes' Nemesis, for light and air are fatal to them, and consequently by the time the stream from the tank has filtered through the coke dust it has become clear and inoffensive. As a matter of fact, it is purer than the river into which it merges, and fish may occasionally be seen swimming in it right to the edge of the filter.

As further evidence of the efficacy of the system it may be mentioned that the effluent has on more than one occasion been drunk by human beings without any disagreeable results. The whole of the process is carried on without any attention

whatever. The tank is divided into two parts, filling alternately. The filter lake is also divided, so that each section may in turn have a period in which to recover itself. The alterations, however, are entirely automatic, being controlled by an ingenious piece of mechanism actuated by the flow of the sewage itself.

The whole scheme is so simple that the inventor has had some difficulty in persuading some scientific men of its merits. The local government board, has, however, after an exhaustive enquiry, sanctioned a loan for the treatment of the whole of the city's sewage on the new principle, so that the official mind may be said to have been convinced. Deputations from all parts of the kingdom, as well as from abroad, have visited the works, with a view to the adoption of the system in their towns; indeed, so numerous has this class of visitors been, that the path leading to the meadow in which the works are situated has been christened "Deputation Walk." Having been in constant and successful operation for over two years, the system is to be regarded as having passed the experimental stage, and as being a serious factor in the administrative economy of communities large or small. Of course the method has been patented, but authorities are likely to look upon the payment of a royalty as a highly satisfactory method of getting rid of the nightmare of sewage treatment.

Electric Railway Franchises.

Municipalities in Ontario have from time to time discovered that electric railways have been granted privileges upon the public highways which develop into a serious menace of the rights of the people. One of the latest of these to create a stir was when the Metropolitan Railway, running from Newmarket to Toronto along Yonge street, asked for the privilege of uniting its line with the Canadian Pacific Railway in North Toronto.

Comment has frequently been made upon the nature of the franchise held by this company, which is a perpetual one. That is, the franchise is perpetual until the people of the townships and counties interested awaken to the understanding that no council elected to office for a year or two, has any shadow of right to give or barter away the freedom of the people of the next generation, in the use of the Queen's highway.

The last move of the Metropolitan Railway, whereby it is now endeavoring to convert into a thorough freight line, what was originally supposed to be but a route of passenger traffic, or at most, a freight service of a merely local nature, will, it is to be hoped, enlighten the people of the province, to some extent, as to the safeguards which must be imposed upon electric railways when granting franchises. The time is approaching when these electric railways will form a network throughout the

country, and there is the greatest need of foresight when agreements are being entered into with regard to the use of the public roads for this purpose.

Electric roads, it is true, confer benefits upon the country served. They are very much to be desired in most localities. But there are, on the other hand, certain demerits. Electric roads occupy a portion of the Queen's highway, which may interfere with ordinary vehicular traffic. They are a source of danger at times to persons using the road. They add to the difficulty and expense of building and maintaining a good macadam road, by interfering with drainage, and concentrating traffic upon too narrow a line.

The Queen's highway is intended primarily for the use of the travelling public. Where the installation of an electric road serves the public, the use of the highway for this purpose is perfectly right and wise. But unrestrained privileges, perpetual franchises, taking away the rights of our children, and children's children, and giving up the road allowance to an electric railway, to the serious detriment of ordinary travel is gross stupidity or worse.

Electric railways should be restricted in many ways, and the whip hand must be that of the people or their representatives. The regulation of speed and service, the location of the track, the grade, the methods of track construction, the number of cars in a train, should all be subject to the will of the people, as changed circumstances may require. And above all, the absurdity of perpetual franchises should be done away with.

Electric railways are a monopoly. If they cannot be operated solely by the people, they should be operated for and in the interests of the people, not in the interests of the company which has secured the monopoly. A franchise, which when being sought by the company, is of no value, suddenly looms into enormous worth when the company has obtained it. These franchises are more easily and cheaply given away than restored. There is an invariable tendency for councils to value them too lightly, forgetting the future in the immediate results.

Mr. A. W. Campbell, Provincial Instructor in Roadmaking, will shortly pay a visit to Pittsburg and other large centres of Pennsylvania for the purpose of studying the effects achieved by the use of crude petroleum in constructing clay roads. American engineers claim that oil in connection with clay roads sheds the water and prevents rutting. Mr. Campbell will make a careful investigation into the matter, and if he finds these statements borne out by the facts will recommend that recourse be had to crude petroleum in Western Ontario.

The village of Preston was incorporated from a village into a town, with appropriate ceremonies on Saturday, the 30th Sept. 1899.

Do Not Neglect the Ruts.

Never, in the experience of Ontario, has so much work been done upon the roads, as during the past season. It is an exception now to find a township without at least one grading machine, and it is not uncommon to find three or four in a township. Drive where you may throughout the Province and the work of these machines will be found.

The amount of grading done during the past season is a matter of surprise. It shows clearly that the people can do the work and will do it, and it further proves that the question of roadmaking will be solved in a very short time. The necessary implements have been manufactured and have been provided by the municipalities, but one would not believe, without examining the work, how great is the difference between the plans employed by the various townships and even road beats, and how apparent the difference in the character of work performed. Much remains, however, to be done.

Although the question is a simple one, and although it is easy to lay down one common plan for the government of all concerned, yet in driving along a road subject to the same kind of traffic, requiring the same treatment, as many different plans will be found, and ideas expressed in doing the work, as there are divisions upon the road. Widths differ from eighteen to forty feet and the amount of crown ranges from almost a flat surface to a dangerous mound. Some grades are located in the centre of the allowance, others to one side, others zig-zag, following the location of a half century ago.

Surely municipalities in the older portions can see the absurdity of allowing this work to be done in such a haphazard way, (every year's work making it more difficult to remedy), and will adopt business methods. They will lay down a simple plan and specification determining the width, amount of grade, etc., so that each superintendent, pathmaster, or whoever may have charge of the work will have something to guide him, and make the roads straight, of uniform width, with safe and efficient crown.

Much gravel of very good quality, clean, some of it screened, and much broken stone has this year been placed on these roads. Dirty gravel will readily consolidate, and with the summer's traffic, become smooth and compact, but broken stone and clean gravel shifts under the wheels and is now rough and rutted, much of the best material being worked off to the roadside. The statute labor has been expended, and apparently no provision is now made for raking in this stone so as to fill the ruts, and place the roads in proper shape for shedding the fall rains. If neglected, the result will be that on flat grades this water will rest in the ruts, penetrate the roadway, and the traffic of fall and spring will cut through and ruin it.

On steep grades these ruts form channels for the water, which, running in rapid volumes, wash out the fine particles which bond the stones, leaving nothing but the large round stones for the wheels to travel over. The water travels for some distance to the bottom of the hill, leaving two channels in the road, and washing away the bank at the bottom. Surely when the people go to the expense of providing this material, and hauling it on the road, if no roller is used, some provision should be made for keeping it in shape, at least for the first year until the traffic has consolidated.

This is a simple and inexpensive work, for where grading machines are used, it simply means one round, or two at the most, on the road, passing up one side and down the other, scraping the loose stone or gravel into the ruts and smoothing the surface. This would not cost more than a couple of dollars per mile and would practically be the salvation of all the rest of the work. A little expenditure, a little labor, if now properly directed, will be the best investment many townships can make.

Civic Reform.

The approach of the municipal elections in Ontario is in several sections of the province reviving the question of the best method of representation in the councils of town and cities.

As Galt was about the first town in Ontario to adopt the law which abolished wards, a law that reduced the number of our councillors from fifteen to eight (including the mayor), its evidence, based on experience, should count for something. Galt, after careful deliberation, voted for civic reform, because its council had become unwieldy, and by long sustained ward methods had committed itself to a policy that cut up the town into divisions, to the detriment of the general good. One year's trial of the new system has convinced a large majority of the ratepayers that it has the elements of wisdom, strength and permanency. The ward politician has disappeared, his place having been taken by a representative, who, by the force of circumstances, is compelled to take a much broader view of public affairs than when serving a section of the municipality.

The elector now feels that every man in the council is directly responsible to him for the administration of our civic affairs. That position is much more satisfactory to him as a taxpayer than when inimical legislation was passed by members who could snap their fingers at him because the complainant voted in a ward other than the ones in which they lived. It is but the truth to say that the taxpayer in Galt, after a trial of the new system, favors it on grounds of economy and directness of responsibility.

As Galt is one of the most progressive towns in Ontario, perhaps our opinion should count for something with people in other sections, who are open to con-

viction respecting the advisability of the continuance of the ward system in towns.

—*Galt Reporter.*

Effective Cattle Guards.

Mr. Joseph Wrigley, clerk of North Dumfries Township, is sending out circular notices to the clerk of every township from Windsor to Montreal, and up to Owen Sound on the line of the Canadian Pacific Railway in this Province, calling for representatives from each of these township councils to a meeting to be held in Fraser's Hall here on the 12th of December next, at which the question of what action shall be taken to compel the railway companies to construct effective cattle guards at every public crossing is to be discussed. It is quite likely that every council will send at least one delegate, so that the meeting will be a representative one. The cause of the step on the part of the farmers is the destruction of such a large number of cattle which stray on the railway tracks and are killed by passing trains. The contention is that if the C. P. R. had proper guards at each road crossing, the cattle could not gain access to the track. Reeve Jas. L. Robson has been appointed to represent North Dumfries council at the meeting.—*Galt Reporter.*

Cement-Concrete

The use of cement-concrete has been so great during the past summer that the manufacturers of cement have been unable to meet the demand, and a considerable amount of work has been delayed until next season in consequence.

Cement-concrete in walks, culverts and other structures of a like nature, is lasting and serviceable, and when properly mixed and rightly put in place, is in the best sense economical. But defective work shows itself quickly. Wherever there has been careless or "scamped" work, it is very likely to show itself after exposure to a winter's frost and dampness. Work which stands for two years without signs of cracking, shaling or crumbling is likely to be permanent, its life conditional chiefly upon the actual wear which it receives.

Mr. Joseph Gabourie, for some years past clerk of the township of Hungerford, died at his home about a mile north of the village of Tweed on the 31st day of October last. Mr. Gabourie was 49 years of age, and was born in the Township of Hungerford.

Many municipalities have been deluded into the belief that in a multitude of taxations there is increased revenue. The city council of Los Angeles, Cal., has decided to tax all vehicles. It fixes the yearly tax on bicycles at 50c cents each, single rigs \$1, and double rigs \$1.50 each. It is estimated that this will give a total income of \$13,000, sufficient to keep hand-sweepers steadily employed and leave a surplus for aiding in the repair of streets.

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.

Voter on By-Law to Have Right to Vote in Each Ward Where Qualified.—Qualification of Voters.

457.—J. M.—1. Can a property owner in a town voting on a money by-law vote in each ward in which he owns property?

2. What is the qualification?

1. Yes. See Section 355 of the Municipal Act.

2. (a) Every ratepayer, being a man, an unmarried woman, or a widow, who, at the time of the tender of the vote is of the full age of twenty-one years and a natural born or naturalized subject of Her Majesty, and who has neither directly nor indirectly received, etc., and who is at the time of the tender a freeholder in his or her own right or (if a man) whose wife is a freeholder of real property within the municipality of sufficient value to entitle him to vote at any municipal election and is rated on the last revised assessment roll, as such freeholder, provided such person is named or intended to be named, on the Voters' List. See Section 353, sub-section 1.

(b) Every ratepayer shall be entitled to vote on any by-law requiring the assent of the electors, who is a man, an unmarried woman, or a widow, and is named, or intended to be named, in the voters' list, and at the time of tender of the vote is of the full age of twenty-one years, and a natural born or naturalized subject of Her Majesty, and who has neither directly, or indirectly received, nor is in expectation of receiving any reward or gift for the vote so tendered, and is resident within the municipality for which the vote is taken for one month next before the vote, and who is, or whose wife is, a leaseholder of real property within the municipality of sufficient value to entitle him to vote at a municipal election, and who is rated on the last revised assessment roll therefor, provided he has in his lease covenanted to pay all municipal taxes in respect of the property leased (other than taxes assessed for local improvements), and, in the case of a by-law for contracting a debt, provided the lease extends for the period of time within which the debt to be contracted or the money to be raised by the by-law is made payable. See section 354, sub. sec. 1.

Voter on By-Law to Have Right to Vote in Each Ward Where Qualified.

458.—F. J. C.—As you are aware that we are going to vote on a Bonus By-Law under authority of chapter 82 Statutes 1893. I would like your opinion as to whether or not a voter is entitled to vote in each ward in which such voter has a proper property qualification, or is each voter limited to only one vote on the question.

Section 7 of chapter 82, Ontario Statutes, 1893 (56 Vic.) provides that sections 293 to 319 inclusive of the Consolidated Municipal Act, 1892, and their sub-sections shall be taken and considered as part of the Act. Section 309 a of the Consolidated Municipal Act, 1892, provides that "Where a municipality is divided into wards, such ratepayer shall be entitled to vote in each ward in which he has the qualification to entitle him to vote on such by-laws." Section 355 of the present Municipal Act is substantially the same as the section last quoted. If the voter has the requisite property or other qualifications he can vote on the by-law in each ward in which he can qualify under the act.

Polling Day, 1st January, 1900.

459.—J. B.—This year Christmas happening to be on the last Monday in the year, Nomination day will be on the preceding Friday, but what day will be polling day?

On Monday, the 1st day of January, A. D., 1900.

First Election in Town.—Number of Councillors.—Reeve.—Nomination Day.—Who to be Nominated.

460.—W. A. H.—We will be a town from the 1st January, 1900, inclusive. No wards. We have a population of 2200. We will be entitled to a mayor then.

1. How many councillors?

2. No reeve I suppose?

3. Now what I want to know is, as we will not be a town municipality until the 1st January inclusive and not to be divided into wards, is there to be a nomination?

4. If so, what am I to do about the nomination to be held on Friday, the 22nd December, 1899?

5. And who is to be nominated in this case?

1. Your town is entitled to elect a mayor and six councillors. Section 71a of the Municipal Act (enacted by section 2 of the Municipal Amendment Act, 1898), sub-section 1, provides as follows:—"The council of every town having a population of not more than 5,000 by the last Canadian census shall consist of the mayor, who shall be the head thereof, and of six councillors, to be elected by a general vote."

2. No reeve.

3, 4 and 5. Section 96 of the Municipal Act will answer these three questions. It provides that in case of the election of a village into a town, etc., the first election under the proclamation or by-law, by which the change was effected, shall take place on the first Monday in January next after the date of the proclamation, or after the passing of the by-law by which the change was made; but the nomination of candidates and the election of such as are unopposed, may, and shall be proceeded with at the same time and in the same manner, as if the change had

gone into effect on the last Monday of the month of December preceding such first election, or on such other day as the nominations may lawfully be held upon.—(i. e. this year, on Friday the 22nd December.)

Deed to Municipality of Land Purchased for Road.

461.—REEVE.—Our township purpose buying a strip of land one rod in width so as to widen the road, it being now only 40 feet.

1. Is it necessary that a deed should be made conveying the same to the municipality.

2. Or can it be legally taken over in some other way, all parties agreeing to the price of the land.

1 and 2. All parties being agreeable, the proper method of vesting the land to be purchased in the township, is by having the Vendors of same, execute deeds of the land owned by each (if more than one) to the municipality. Care should be taken that accurate descriptions of the parcels of land by metes and bounds, are filled in in the deeds before they are executed.

Mandamus—Township Council—Drain.

462.—SUBSCRIBER.—Will you please inform me what the procedure is in moving for a mandamus to compel a township council to repair a special drain under the provisions of the Ontario Drainage Act, with probable cost of securing said mandamus? See Section 73, Drainage Act of 1894.

The present Drainage Act is Chapter 226 of the Revised Statutes of Ontario, 1897. Section 73 of the Act sets forth the proceedings to be taken in obtaining a mandamus to compel the municipality liable, to execute the work. It would be useless for us to set forth the procedure necessary to obtain a mandamus, under this section, because the application must be made to the court and in order to make the application properly the services of a solicitor will be necessary. We would therefore advise you to consult some solicitor who will be able to tell you what the probable cost will be.

Railways and Ditches and Water Courses Act.

463.—J. K. C.—1. Belleville, Nov. 2, 1899.

J. K. CAIRNS, Esq.,
Clerk Township of Plympton,
Camlachie, Ont.

DEAR SIR,—I have received a notice purporting to be made under the provisions of the Ditches and Watercourses Act, 1894, signed by James McMahan, notifying the company and requiring some one to attend at a meeting to be held on the 16th November next, on the west half lot 13, concession 1. My object in addressing you is to call your attention to the fact that the provisions of the Ditches and Watercourses Act do not apply to the land of the Grand Trunk Railway. The question has been decided in our courts several times, and I will be greatly obliged if you will notify Mr. McMahan and other parties interested to this effect, and that no one on behalf of the company will attend the proposed meeting. The railway company is always ready to oblige their neighbors in the matter of drains, but that is a very different thing from being ordered to construct or pay for a drain under the provision of an Act which does not apply to them at all. If Mr. McMahan or other parties interested have anything further to say about this matter I will be very glad to hear from them.

Yours truly,
JOHN BELL, G. T. R. Solicitor.

The notice referred to above was a notice under Section 8, Form C, of the Ditches and Watercourses Act.

Please give us your opinion on this matter. Was a similar case ever tried in the courts with the result as stated above?

2. An Act to Amend the Municipal Act.—Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Notwithstanding anything in the Municipal Act, or in the Municipal Amendment Act, 1898, contained, the council of any township formerly divided into wards, may in any year before the first day of November pass a by-law for dividing such township into four wards, and at the next general municipal election, and at all subsequent municipal elections until such by-law is repealed, one councillor shall be elected for each ward, and the reeve shall be elected by general vote.

Please let us know if this Bill ever became law.

The law is as stated by Mr. Bell. With the consent of the Railway Company the council may exercise the powers conferred upon it by section 21 of the Ditches and Watercourses Act.

2. No.

Collector's Seizure When 5 Per Cent. Discount Allowed—Dog Tax.

464.—SUBSCRIBER.—1. The council passed a by-law giving people a 5 per cent. discount if they paid their taxes on or before the 30th Nov. Does this prevent the collector from seizing for taxes after he has given the fourteen days' notice in the usual way?

2. A. has had a dog all this year and did not pay taxes, according to by-law. He is summoned before a magistrate—he proves he has shot the dog. How should the magistrate act?

1. Assuming that the by-law does not extend the time for payment but only allows a discount for payment on or before a certain named day the collector may distrain after the expiry of 14 days from the time he has made a demand for the taxes.

2. The magistrate's authority does not appear to go beyond the power to order the destruction of the dog. See section 6 of chapter 271 of the Revised Statutes of Ontario, 1897.

Impounding Cattle—Legality of Tag By-Law System—Qualification of Auditor for Membership in Council Salaries of Assessor and Collector—Repairs of Highway by Railway Company.

465.—X. Y. Z.—1. In townships where the cattle tag-law is in force can a farmer, who has no fence, impound them, as you say he cannot be compelled to build a fence? If so, what use is the by-law?

2. Is the tag by-law system legal?

3. Being township auditor, am I eligible for election to the council next year, the books not being audited until after nomination?

4. Which should receive the highest salary, the assessor of a township or the collector?

5. Should a railway keep in repair the highway to its line limits?

1. Yes, the farmer can impound the cattle, if found straying on his premises. The by-law would prevent the impounding of the cattle if and when upon the public highway.

2. Yes.

3. An auditor is not as such expressly disqualified under section 80 of the Municipal Act, but if he has taken the declaration of office or done anything sufficient to create a contract between himself and the municipality he will be

disqualified, unless he can arrange with the council to terminate the contract before the day of nomination.

4. It is difficult to answer this question definitely. The duties of assessors and collectors and the comparative time within which they are to be performed vary in different municipalities. It rests with the council making the appointments to say how much the services of these officers are worth, and which of them should be paid the larger sum, such council being presumed to be familiar with all the circumstances and requirements of the case.

5. The Railway Acts require railway companies to construct and maintain their tracks and highways in such a manner that no part of the railway shall rise above or sink below the level of the highway more than one inch, and to construct and maintain sufficient cattle guards on either side of the highway. Further than the above, no duty to repair or maintain a highway is cast on railway companies.

Authorities of Commissioners and Notaries Public.

466.—F. D. N.—Define the difference between a commissioner taking affidavits appointed by the High Court of Justice and a notary public?

Chapter 175 of the Revised Statutes of Ontario, 1897, confers on our notaries public the same powers as commissioners for taking affidavits, etc., appointed under the *Act Respecting Commissioners for taking Affidavits and Recognizances*. The commissioner has no authority to take an affidavit or recognizance outside of the *County* in and for which he has been appointed. A notary public can act as such anywhere in the Province. A notary is not bound to affix his official seal to every affidavit sworn to before him. Affidavits sworn to in Ontario for use in a foreign country, are, as a general rule, required to be made before a notary public.

One Man, One Vote.

467.—E. D.—In municipalities adopting the system of representation of a mayor and one councillor for each 1,000 inhabitants, can a person having property in more than one ward or polling sub-division, cast more than one vote for either mayor or councillor?

Each voter is entitled to but one vote for mayor, and as many votes for councillors as there are councillors to be elected. A voter cannot mark his ballot any more than once for any one candidate nor can he vote in more than one ward or polling sub-division.

Contract for Supply of Crushed Stone.

468.—G. G. A.—Our council has entered into a contract with the owner of a stone crusher to furnish a quantity of crushed stone yearly for a term of five years, in quantities and on terms as defined in the contract.

Is this contract legal and binding on subsequent councils?

Assuming that the contract is in such form as to be binding upon the present council it will be binding upon subsequent councils during the term entered into. But we cannot express our opinion

as to whether it is binding or not without having the proceedings evidencing it before us.

Vote Necessary to Carry By-Law.

469.—G. G. A.—In case of ratepayers in a town divided into three wards voting on a by-law for bonus in aid of a railway, under section 366 of the Municipal Act, how is the clerk to ascertain from the number of votes polled in each ward for and against the by-law, whether there is "the assent of one-third of all the ratepayers" as well as a "majority of the ratepayers voting on the by-law," when under section 355 "each ratepayer is entitled to vote in each ward in which he has the qualification necessary to entitle him to vote on the by-law." For instance, supposing a number of ratepayers entitled to vote in only one ward oppose the by-law, and a smaller number of ratepayers entitled to vote in two or three wards, vote for the by-law in two or three wards, the total vote consequently may show a much larger vote in the aggregate in favor of the by-law than against it. In such a case the aggregate number of votes respectively for and against the by-law would not indicate, as regards the individual ratepayers, how many opposed and how many assented to the by-law.

Section 366 seems to contemplate that the individual voters have but one vote, or rather that each vote represents but one ratepayer; whereas section 355 gives a ratepayer more than one vote. I cannot reconcile these two sections in applying them to this town in the by-law in question, but there may be some amendment or provision I have overlooked. Do you think that the word "appears" in sub-section (2), of section 366 has some significance in interpreting the above mentioned sections?

The question which you have raised is one upon which the courts have not, so far as we are aware, yet passed. Section 355 of the Municipal Act entitles a ratepayer to vote in each ward in which he has the qualification necessary to entitle him to vote and by section 366 the assent of one third of all the ratepayers who were entitled to vote is necessary. The words "all the ratepayers" mean all the ratepayers of the municipality and in ascertaining the whole number, a ratepayer cannot be counted more than once though he has two or more votes in the municipality. The same meaning, however, cannot be given to the word "ratepayers" where it appears in the latter part of the section which are "as well as of a majority of the ratepayers voting on the by-law." The clerk under section 364 is required to cast up the votes for and against the by-law and if he finds that there is a majority of votes for or against the by-law he must so certify, and we have no doubt but that if there is a majority of the votes cast for the by-law such majority is sufficient to give it validity so far as the latter part of section 366 is concerned, though it may be the fact that a majority of the ratepayers has not voted for the by-law. This view is confirmed by reference to the language of sub-section (2) of section 366 which says "In addition to the certificate required by section 364 of this Act the Clerk, in case of the majority of votes being in favor of the by-law shall further certify, &c." From this it will be observed that the Clerk is required to give a further certificate in case of the majority of votes being in favor of the by-law. The legis-

lature does not say a majority of the ratepayers, but a majority of the votes. Where the legislature speaks of one-third of the ratepayers we are perfectly satisfied that the clerk has no right to multiply a ratepayer who is a voter in each of three wards by three and thereby make three ratepayers out of him. We are not concerned with what was really in the mind of the legislators who had this enactment placed upon the statute book nor with the question as to whether it is fair to count individuals only in one case and votes in the other case or not. We have simply to ascertain what the legislature meant by what it has actually said.

Damages by Sheep Running at Large—Building Fence Along Highway.

470.—SUBSCRIBER.—Sheep run at large in township. They are not enumerated in the list of animals in the by-law respecting pounds.

1. If sheep break through the fence from the highway and destroy my crop, what redress have I?

2. Can I be compelled to build my fence along the highway?

1. You have a right of action for the amount or value of the injuries or damages you have sustained against the owner of the sheep.

2. No.

Member of Board of Health or Councillor—Borrowing Powers of Council—August Meeting.

471.—JUNO.—1. Can a member of the Local Health Board qualify for a member of the township council?

2. Can a council create a debt of say seven hundred dollars to build a bridge and extend the payment of it for say five years, without first submitting a by-law to the electors? If it can be done state section of statute.

3. Can the council legally hold the August meeting to fix the rate before the 15th of the month?

1. If a member of a Board of Health desires to be a candidate for membership in the township council his resignation as a member of the Board of Health should be delivered to and accepted by the council before nomination day.

2. No. See section 389 sub-section 1 of the Municipal Act.

3. Yes.

Purchase by Council of Road for Private Party.

472.—T. E. C.—Algoma District.—A owns land along river; government road runs across same. B owns land back of A's land, with no road to get out from same, no road allowance left in government survey.

1. Can B compel the council to buy a road from A across his land to let B out? It would be about half a mile across A's land to government road.

2. A offers to lease the council a road for B across his land for nine years. If the council leased same could B still compel the council to buy a road across A's land to let him out?

3. A owns a farm with road along front of same; river runs across A's farm, leaving the back part without any road to get to it. A sells the back part to B. Can B compel the council to furnish him a road to get out?

1. No.

2. No.

3. No.

Care of Crippled Indigent.

473.—SUBSCRIBER.—There is an indigent person in our community who is very badly crippled with rheumatism and he has no relatives to care for him. If there is any Provincial or other institution to your knowledge where such people can be sent? Will you please send me their address, that I may correspond with them, as we have no house of refuge or other institution in this county that he can be sent to.

There are numbers of institutions, private, municipal and provincial, in this Province, into which unfortunates of the kind you mention are taken, but the keepers are not compelled to admit them. Most of them would do so, however, especially those of a private nature, for example, the Home for the Friendless in Windsor, if the cost of the maintenance of the indigent was defrayed by someone. A municipality has the legal right to grant money for this purpose. See Section 588 of the Municipal Act.

Collector's Duty—Owner's Notice, re Tenant.

474.—C. O. L.—Is a collector expected to proceed immediately to collect tax from tenant when he (the collector) receives notice from the owner to do so, the tenant being the party whom the tax is charged against in the collector's roll?

If the tenant is actually assessed for the premises in respect of which the taxes are payable, and his name appears on the assessment roll for the year as liable thereof, the collector may proceed to collect the taxes at any time after fourteen days after demand made on the tenant for the taxes. (See section 135 of the Assessment Act, and foot notes thereto in Glenn's Collectors' Guide, second edition.) If the circumstances of the case are such as are referred to in sub-section 4 of the above section, a seizure for the taxes can be made within or before the expiration of the fourteen days in taking the proceedings therein set forth. The collector ought in any case to collect the taxes promptly even though no notice is given to the landlord and particularly so when such notice is given.

Meetings of Township Councils in Incorporated Villages

475.—P. Q. R.—In our township we have an incorporated village. Is it lawful for us to hold our meetings in the village, or should it be in our own corporation?

Yes. See Section 266 of the Municipal Act.

By-Law Imposing Tax on Cows.

476.—A SUBSCRIBER.—1. Can a municipal council legally pass a by-law imposing a tax upon cows belonging to citizens of the town and running at large within the limits of the municipality?

2. If so, is the amount limited by statute?

1. No.

Building Road-Fence—Tarriff of Clerk's Fee Under Drainage Act

477.—J. M.—1. I would like to know if we can compel a landowner to build a fence alongside of the road allowance provided he has his farm enclosed on the other three sides?

2. Is there a tariff of charges for township clerks in cases where a drain is put through under the Drainage Act, or does the clerk put his own price on his work in drainage work?

1. No.

2. No, unless the by-law fixing the salary paid by the council to the clerk expressly provides that it shall cover all fees to which he would otherwise be entitled for services under the Drainage Act.

Vote of Farmer's Son for School Trustees—Qualification of School Trustee—Tenants—Vote for School Trustee—Joint Assessment—Change of School Site.

478.—J. R. S.—1. Can a farmer's son legally vote for school trustee in township?

2. Has a school trustee got to be an owner of property to hold office, or can a farmer's son hold said office?

3. Can a tenant who pays taxes legally vote for school trustee?

4. What is the meaning of a father and son assessed as ("joint owners") appears on voters' list when search was made since in the registry office the son's name does not appear on books or deed as a joint owner of said property? Can this son legally vote as a joint owner for school trustee? If not what would be the penalty?

5. School house in section 2, township of P. is not centrally located. The majority of ratepayers have signed a petition to have said school house removed to centre of section, but the trustees are stubborn and will not act on behalf of the petition. How can they be compelled to centrally locate the building? How must the majority proceed?

1. Yes. See section 12 of the Public Schools Act.

2. The latter part of sub-section 2 of section 9 of the Public Schools Act is as follows: "The persons qualified to be elected trustees shall be such persons as are British subjects and resident taxpayers or farmers' sons, within the meaning of the Municipal Act, of the full age of twenty-one years, not disqualified under this Act." No property qualification is required by the School Act.

3. Yes.

4. Section 14 (2) (a) of the assessment act provides for the assessment of a farmer and his son jointly as if they were joint owners of the land and when so assessed the son can vote for school trustee.

5. Section 31 of the Public Schools Act empower the trustees of a rural school section to select a site for a new school house or to agree upon a change of site for an existing school house, but when they do that it is their duty to call a special meeting of the ratepayers to consider the site selected by them, and no sight can be adopted or school site changed except in this manner provided by sub-sections 2 and 3 of the above section but there is no means of compelling the trustees to take advantage of the powers given them by section 3. So that the ratepayers cannot in any way compel them to move in the matter at all. If the ratepayers think a change necessary and the trustees refuse to do anything, the only course for the ratepayers is to elect trustees favorable to a change.

Drain Along Road Without Culvert or Crossing to Farms—Cutting Hill on Road Opposite Farm Gate

479.—TOWNSHIP COUNCILLOR.—If an engineer is employed to drain a certain portion of wet land or a public road, and if he makes a ditch on the side of a public road, concession or side line, and leaves it so as the owner of the farm

cannot get in or out on the public road without a culvert or crossing; if the engineer says that the municipality has to build the crossing and pay for it out of the township funds, is the township council compelled to do so?

2. If a township council cuts a hill opposite a farmer's gate so as he can't get on the public road, is the township council compelled to grade it so as he can get on the public road, and pay for it out of the township funds, or has the farmer to do it himself?

1. The engineer has no authority to order the municipality to build the culvert or crossing. The law does not require the council of a municipality to build culverts, crossings or bridges over ditches extending in front of a man's farm, to give him ingress or egress to and from the same, but the farmer may perhaps be entitled to compensation if he can show that his lands have been injuriously affected by the work which has been done. Re Lindsay and the township of Albion recently before the courts is of importance in connection with this question. The following is a note of the judgment delivered by Chief Justice Armour:

Re Lindsay and Township of Albion.—Judgment on appeal by the contestants, the municipal corporation of the township of Albion, from an award of arbitrators allowing the claimants, William Lindsay and William Norris, compensation for injury to lands by the corporation opening up and maintaining a ditch on the road allowance in front of the lands, namely half of lot 2 in 6th concession of the township. The arbitrators awarded the claimant, William Lindsay, the owner of the lands, \$40, and the claimant William Norris, the tenant, \$10. Held that there was no ground for interfering with the award. The arbitrators have found that the land was injuriously affected, within the meaning of the law, by the work done by the corporation upon the highway in front thereof, by the exercise of their powers, and it matters not that this was done by the corporation in the performance of its duty to keep the highway in repair, under the law as laid down in Re Yeomans and County of Wellington, 43 U. C. R., 522, 4 A. R., 301. And there is no ground for holding that the finding of the arbitrators was wrong.

2. If the council were acting within the scope of their corporate powers in cutting the hill, and performed the work within the line of the road as originally laid out, for the purpose of making reasonably necessary repairs to the highway, the council cannot be compelled to grade the hill for the benefit of the farmer, who may have been inconvenienced by the doing of the work. It was stated by Chancellor Boyd in the case of Pratt vs. Stratford, that "an owner of lands has by common law no vested right to a continuance of the highway at the level it was when he purchased. The corporation, or owners, or trustees for the public have the right to repair and in repairing to improve streets or bridges without a by-law for that purpose." There may, however, be a right to compensation in this case

under the authority of the cases above referred to.

Drainage Assessment—Two Municipalities—Disposal of Surplus Money.

480.—A. M.—A drain is repaired by an initiating municipality, which extends into an adjoining municipality, upon the report of an engineer, at the joint expense of the lands and roads affected in both municipalities. By-laws were passed by both municipal councils, and debentures issued under said by-laws were sold and the money paid into the hands of the treasurer of the initiating municipality. The repair did not cost the amount raised for the purpose of repair, and, consequently, a surplus remains. There is a fact, and the latter part of sub-section 3 of section 66, chapter 226, R. S. O., 1897, says when a certain fact takes place, that is if in the case of two municipalities taking part in a drainage work, if a surplus remains the money shall be divided pro rata among the contributing municipalities. What authority does the treasurer of the initiating municipality, in whose hands the surplus remains, require in order to make the refund? Must it be by by-law, as in the former part of the sub-section, or by resolution of council, or would he under authority of the words "shall be divided" be justified in refunding the money due the other municipality, to the treasurer thereof, or what course must be pursued, say for both municipalities?

The treasurer of the initiating municipality should be authorized by by-law to pay over to the contributing municipality the *pro rata* share of the surplus moneys to which the latter is entitled, and the money when paid over must be applied by the council pro rata according to the assessment in payment of the rates imposed by it for the work in each and every year after the completion of the work. The payment in this case also should be under the authority of a by-law of the council.

Clerk's Fees Ditches and Watercourses Act.

481.—SUBSCRIBER.—By-law appointing clerk contains a clause stating that the clerk shall be paid \$2.00 for each day he is attending a court under the Ditches and Watercourses Act, or meeting the owners of property interested, and fifty cents for each subpoena issued, and ten cents a mile, one way, for serving each subpoena when necessary for him to do so. In 1899 A files declaration of ownership (sec. 7, Ditches and Watercourses, 1894) with clerk, who thereupon issues subpoenas to parties whose names were given him by A. Meeting of owners was held, agreement made and reduced to writing by clerk. Council pay clerk's fees according to by-law.

1. Can council now collect fees paid clerk from A and other parties interested or subpoenaed? If so what would be a proper mode of procedure?

2. If at a meeting of owners no agreement is reached, and no further action is taken by A, how, if answer to 1 is "yes," how would council proceed?

3. If the council, to have a watercourse opened for benefit of highway, call meeting of owners (sec. 9, Ditches and Watercourses Act) and no agreement arrived at, and no further action taken, who then is liable for costs?

4. Can railway company be required to open ditch and enlarge culvert on railway, in accordance with dimensions of ditch in engineer's award, if ditch passes through railway property?

We assume by "subpoenas" you mean the notices required to be served on interested parties by sections 8, (Form C.), and 14, (Form F.) You will observe that it is not the clerk's duty to fill in or serve

these notices, but that of the person initiating the construction of the drain. By sub-section 2 of section 9, the municipality is required to keep printed copies of all forms required by the act. These will be kept by the clerk and all he is required to do is to hand them to persons applying for same. In view of the above, unless the fees paid by the council to the clerk were mentioned in the agreement, and the parties thereto or some or one of them therein agreed to pay the clerk's fees, the council cannot collect them from A, and the other parties interested, nor can they be collected in the manner provided by section 27 of the act. If the clerk's fees are provided for in the agreement, they can be collected in the same manner as if an award had been made in the case by an engineer, subsequent to the failure of the parties to agree.

2. Do you mean to collect the costs? If so, the only costs incurred would be a fee to the person attending the meeting as the council's representative (in case the municipality was an interested party) and this should be paid by the council. If the municipality is not an interested party in the proceedings there should be no costs to be paid to the clerk or anyone else, as no one, on the council's behalf, need attend the meeting, and the clerk's work (if any) previous to the meeting should be paid for by the initiating party, or other person employing him to do it.

3. The council must act in the same way that a private owner would do, under similar circumstances.

4. With the consent of the railway company the council may exercise the powers conferred upon it by section 21 of the act.

Qualification of Deputy-Returning Officer.

482.—"Pt. Ed."—1. Can a person nineteen years of age act as deputy-returning officer for a municipal election?

2. Must the deputy returning officer be on the assessment rolls?

1. Yes.

2. No.

Use of Drain by Non-Contributory Party—Local Drain.

483.—H. L.—Townline running east and west, local drain starting at C's farm on south side of townline running west, H on north side of town line, half a mile west of C's farm, claiming at the time said drain was constructed that it was no use to him and was not assessed for said drain, but has since put a culvert across the road in said drain and has drained a part of his land in said drain. The township council paid him for the pipe across the road and he did the work. Please inform me as to the legal steps to take to have the culvert removed?

You do not say whether the drain was constructed under the provisions of the Ditches and Watercourses Act or the Drainage Act, or made by the council along the road for the purpose of draining it. We should have this information. We infer, however, that the drain was constructed under the Ditches and Watercourses Act, and if so, A cannot use it until he complies with the provisions of section 32 of the act.

Maintenances of Bridges—Road Drain.

484.—J. Mc.—We have a large number of bridges in our township which the ratepayers find are a burden to build and keep in repair. Every year some of them are swept away with the spring floods. This year we lost several which we have rebuilt. The question often arises whether the council can refuse to rebuild a bridge, that is, to do away with it altogether or not. One of our bridges is in the centre of a school section, part of the section lies on each side of the river. We, the council, have rebuilt all the bridges which we lost this year, believing where a bridge has once been built the municipality is bound to maintain it.

1. Is a municipality bound to maintain all bridges or not?

2. Where a farmer has several tile drains running to road, is the municipality bound to deepen road ditches deep enough to take all water from said drains, the road being turn-piked with ditches a sufficient depth for road?

1. Your municipality must keep in reasonably good repair, and in a condition of safety, all bridges therein that public convenience requires.

2. No.

User and Repair of Highway—Removal of Fences—Surveys Act—Unused Road Allowances.

485.—J. C. C.—Between two farms in same concession is an original sideline road which has never been used by public, nor had any statute labor applied thereon. The two farmers whose lands abut have from time to time moved their fences closer together thereon, until the road is almost if not wholly closed, but nevertheless is a constant bone of contention between the two farmers, one of whom has come to the council for redress.

1. If council by a by-law opens same up as a highway, would this imply that public then has right to use it, and would the council then be required to put road in proper repair so as to avoid suits for damages for want of sluices, etc.?

2. Might council, instead of passing by-law to open it up, (it is not asked for by public) merely by resolution order the two farmers to remove their fences and other obstructions from road, and compel them by law to do so if necessary? If each were forced to put his fence on proper line the cause for dispute would be removed. If this procedure is followed, what rights would public have in the road?

3. If the survey of this sideline has become obliterated, or is disputed by either or both of the farmers, at whose expense is it to be re-established, if that be necessary?

4. What rights has the public in unused road allowances which may be open, but on which no statute labor has been expended and which in fact may be impassable? Are they public highways until the council by by-law has declared them open as such, thus becoming responsible for their condition?

1. Yes, the public would have a right to use the road, and the council would be required to maintain the same in a proper state of repair.

2. Yes. The council could compel the farmers mentioned to place their fences on the proper road lines. Reasonable notice should be given them to do so. If they refuse or neglect to comply with the notice an action may be brought to compel the parties to remove the obstructions. We may, however, say that if the council does not desire to open out the road it would be better to take no action in the matter.

3. The line can be definitely located and established pursuant to the authority of section 14 of the Surveys Act. R. S. O., 1897, chapter 181. If this be done,

the cost of so doing can be assessed and levied by the council against the proprietors of lands interested, as set forth in sub-section 5 of this section, but the council should not act under this section unless it is a case to which this section clearly applies.

4. The roads you mention are public highways in the sense that they have been originally laid out for that purpose. The extent to which the council is legally compelled to open up and maintain them depends on the nature of the locality in which the road lies. Whether the neighborhood is wild land, thickly or sparsely settled, and whether there are any physical obstacles to the opening up and maintaining of the road. A council is not legally bound to incur a large expenditure in opening up a road, for the convenience of one or two settlers. The duty is to the general public to open up and maintain the road if the general public convenience requires or demands it.

One Man One Vote—Tax Defaulters—Qualifications in Towns and Districts.

486.—A SUBSCRIBER.—1. Is it lawful for a ratepayer to vote for the same man as alderman for a town in a district in three wards providing he can qualify to vote in the three wards as was done here last January? Some ratepayers voted for the same man three times the same day in our town.

2. Must a ratepayer have his taxes paid before he can record his vote?

3. What is the amount to qualify for mayor, alderman and school trustee in a district?

1. Your town having a population of not more than 5,000, the council shall consist of a mayor, and six councillors, to be elected by a general vote (see section 71a of the Municipal Act.) This being the case, each voter is entitled to one vote for mayor, and as many votes for councillors as there are councillors to be elected. A voter cannot mark his ballot more than once for any one candidate for councillor, nor can he vote in more than one ward or polling sub division.

2. Section 88 of the Municipal Act provides as follows:—"No person who has been returned by the treasurer or collector, under section 137 as in default for non-payment of his taxes on or before the 14th day of December preceding any election, shall be entitled to vote in respect of income in any municipality, or in respect of real property in municipalities which have passed by-laws under sub-section 1, of section 535, but any person who is entitled to vote, and who at the time of the tendering of his vote, produces and leaves with the deputy-returning officer, a certificate from the treasurer of the municipality, or the collector of taxes, showing that the taxes, in respect of which the default had been made, have since been paid, shall be entitled to vote; and the deputy-returning officer shall file the certificate, receive the vote, and note the same on the defaulter's list." See also sections 137 and section 535 (sub-section 1) of the act.

3. The amount of assessment on the last revised assessment roll to enable a

candidate to qualify for election as mayor or alderman in your town is \$400 freehold or \$800 leasehold property. See section 76, sub-section 1, clause G, of the Municipal Act. Any ratepayer who is a British subject and resident in the municipality of the full age of twenty-one years may be elected a public school trustee. See section 53, sub-section 2, of the Public Schools Act.

School Trustees—Municipal Grant—Clerk's Duty—Tenant and School Taxes—Drainage Act—Amending By-Laws.

487.—D. D. C.—The trustees in a rural public school section neglect to put in their requisition, the one hundred and fifty dollars municipal grant, so they were the municipal grant short.

1. Was it the clerk's duty to add the municipal grant to the requisition?

2. Rural public school section. On account of an omission in the school rate of 1898 the school rate is higher this year. The owner of a farm rented it last winter. Which should pay the additional tax this year, the owner or the tenant?

3. Under the Drainage Act. On passing amended by-laws is it necessary to make a motion to have them read the second and third time before being finally passed?

1. No.

2. This depends on the agreement between the owner and the tenant at the time the property was leased. You do not say who then agreed to pay the taxes. If the lease was in writing we should have a copy of it. If the tenant agreed to pay all taxes he will have to pay the additional tax you refer to.

3. You do not say whether your council has any by-law or rules of order governing the conduct of business by your council. The usual course pursued by municipal councils is to read all by-laws three times before the final passing thereof, and each reading is preceded by a motion or resolution of the council, duly moved, seconded and carried, that the by-law be read a first, second or third time as the case may be.

Detention Strayed Animals—Procedure.

488.—J. W.—About Oct. 20th last, five calves came on my premises. After enquiry, and failing to find an owner, I advertised three times in a local paper. Now what course should I pursue in regard to them? Should I sell them, or what?

The owner of the animals not being known to you, you should, in addition to advertising in the local newspaper as required by section 11 of the Act Respecting Pounds (R. S. O., 1897, chapter 272), deliver to the clerk of the municipality the notice required by section 9 of the act. By section 13 notices for the sale of animals of the kind mentioned cannot be given for two months after they have been taken up. See section 13 of the act. The notices of sale shall be given in the manner provided by section 14 of the act.

A minister having preached a very long sermon, as was his custom, some hours after asked a gentleman his candid opinion of it; he replied that "'twas good, but it had spoiled a goose worth two of it."—Tit-bits.

Municipal Trading and Profits.

THE BRITISH ASSOCIATION DISCUSS A QUESTION OF VITAL IMPORTANCE TO MUNICIPALITIES—STRIKING COMPARISONS BETWEEN COMPANY AND MUNICIPAL MANAGEMENT.

"Municipal Trading and Profits" was the subject of a paper read before the Economic Science Section of the British Association on a recent date by Mr. Robert Donald. During the last session of Parliament, he said, an attempt was made to place a limit to municipal activities. The successful management of various enterprises by our large cities had caused fears among some people at the prospect of industrial communism, and excited the jealousy of others who wanted the profits now earned for the community by its own representative councils diverted to limited companies.

To define the limits of municipal action, which was the object of a motion placed before the House of Commons but not discussed, was more difficult than at first sight appeared. It would also set a bad precedent, as someone urged, to invite the House of Commons to define and limit the scope of its action. The one would be as difficult as the other.

PARLIAMENT DELIGHTFULLY INCONSISTENT.

Parliament was delightfully inconsistent over this matter, as after strong speeches against municipal trading, it ended by passing a law inviting municipalities to go out of their way and take up an entirely new industry by establishing municipal telephones—which only a few of them asked for—and another Act enabling them to act as bankers and building societies to working men.

There should be no reason to object to municipal trading, from a commercial point of view, as the figures in a recent Government return showed. If we remove baths and cemeteries, which should not be regarded as remunerative undertakings, and piers and quays, which are frequently in the nature of public improvements, it is found that the average annual profit of municipal water, gas and electricity works, markets, tramways and workmen's dwellings, amount to $4\frac{1}{2}$ per cent. on the capital invested. This ought to have convinced Parliament that the municipal enterprises which it created were being well managed.

INSTRUCTIVE COMPARISON.

The chief opposition to municipal trading last session arose in connection with electricity supply. Private companies have every reason to be jealous of municipal success. Whether we take representative undertakings by themselves or groups of undertakings in bulk, it will be found that municipalities produce current at a lower cost, and supply it at much lower prices than do companies. A comparison between twenty-one municipal and twenty-one company undertakings, including in the latter the large London concerns and the companies of Birmingham, Leeds and Sheffield, where the supply has been recently municipalised, gives the following result:—

Cost of production per unit:

Municipalities.....	1.87d
Companies.....	2.71d

Average price per unit to consumer:

Companies.....	5 $\frac{1}{2}$ d
Municipalities.....	4 $\frac{1}{2}$ d

Profit on mean capital:

per cent.

Companies.....	7 $\frac{1}{2}$
Municipalities.....	7 $\frac{1}{4}$

Thus, municipalities produce electricity at $\frac{3}{4}$ d. less per unit than companies, sell it at 1d. less per unit, and earn only $\frac{1}{4}$ per cent. less profits. The success which has attended this branch of municipal enterprise, and its great prospects of development, is why cities like Liverpool, Leeds, Birmingham and Sheffield have recently given handsome compensation to get possession of the works which they were short sighted enough to let companies establish.

CHEAPEST GAS FROM MUNICIPALITIES.

Turning to the gas industry, which requires skilful management, and calls for the employ-

ment of a large staff, we find that the cheapest gas in the country is made by municipalities. As a rule they supply gas of a higher illuminating power than companies. Although public bodies have had to pay very heavy compensation for gas undertakings, purchase has been at once followed by a reduction in charges. Hull Corporation recently took over the property of the Hull Gas Light Company, and at the end of the first year's working was able to reduce the charges by 2d. per 1,000 cubic feet and have a surplus. Birmingham corporation has reduced the charges from 3s. 1d. to 2s. 1d. since 1875, and has handed over £618,310 out of its gas profits toward its great improvement during that period, besides accumulating a sinking fund of over half a million. Nottingham has reduced the price of gas by one-third, and lowered the capital charge on manufacture by seven per cent., and annually handed over £24,000, or about three per cent., to the rates, besides building up a redemption fund. Glasgow has decreased the charges from 4s. 7d. to 2s. 2d. Manchester Corporation has reduced the charges to 2s. 3d.; it has made concessions to consumers since 1890 which represent a value of half a million, besides handing over £600,000 during the same period, in relief of the general rates. The sinking funds and surplus in hand are nearly equal to the total debt on the undertaking. A comparison between a representative number of municipal and privately managed gas works shows that the average price of the municipal gas is less by 3d. per 1,000 cubic feet; the candle power is higher, and the average profit on capital employed only one per cent. less than that obtained by companies.

PROFITS OF TRAMS.

Another growing municipal industry is the direct operation of tramways by corporations, which has been done under easy conditions as regards capital expenditure, and has at once led to increased traffic. There has been a ready response to public demands, a reduction of fares, and better treatment of employees—all of which have combined to make municipal tramways very successful from a business point of view. With the introduction of electric traction, tramways will soon become a far greater factor in the social life of a city than we can now estimate. Towns will be linked to towns, and there will be one system of rapid transit for every centre which has a common interest. Local jealousies will prevent municipalities, in many cases, from serving suburbs and connecting towns, and leave a loophole for private enterprise. Glasgow Corporation, which carries 120,000,000 passengers a year, at an average fare of three farthings (about half the average under the former company), shows what a great city can do with its tramways. Glasgow Corporation has provided a cheap and popular service, and earned a profit, which, were the undertaking in the hands of a company, would bring a return of eight per cent.; and since 1894 the capital has been reduced by a quarter of a million. Under electric traction the carrying power of the service will be greatly increased, and Glasgow tramways may soon be conveying 300,000,000 passengers a year at universal halfpenny fares. Experience has shown that citizens take a pride in their municipal tramways, but some people think that they may love them too much, and that every citizen will want his municipal tramcar to carry him to his work and deposit him on his doorstep. That danger, under good business management—as in Glasgow, where every new route must be self-supporting—will not arise.

BUSINESS MEN AS TOWN COUNCILLORS.

These results of municipal trading are the best testimonials of good management, and conclusively disprove the charge that municipal undertakings are in the hands of amateurs. This statement can also be met by an analysis of the occupations of town councillors. It will show that they attract the men of highest standing and best business training, and that the composition of a council is an index to the

leading local industries. Thus in Birmingham it is found there are on the city council forty manufacturers and tradesmen associated with the metal and jewellery trades; in Burnley, nearly half the members are manufacturers and tradesmen, connected chiefly with the cotton industry. In Hull, shipping interests are strongly represented; and in Huddersfield, the woollen manufacturers are prominent. On the Sheffield city council the staple industry is represented in all its phases, from directors of steel companies and steel manufacturers to steel workers and moulders.

THE HAPPENING OF TERRIBLE THINGS.

The continual expansion of municipal enterprises and the tendency to eliminate all middlemen, means the employment of an army of municipal workmen in every city. And here some people see an open door to demoralizing and corrupt influences. The servants of the councils, they suggest, will at election times be their masters; a privileged class of servants is created, whose object will be to draw more and more from the municipal exchequer for less work. All this, it is suggested, will lower the standard of public bodies and lead to jobbery and corruption. There are at present no indications that these terrible things will happen. While employed by the same body their interests are not identical; they know that interested action on their part would lead to reaction; and they do not always live within the area of the body which employs them. And municipal servants are only a very small minority of the total voters. In reply to inquiries on this point the mayors of several cities all agree in saying that municipal servants have not exercised any appreciable influence at election time, and there is no danger ahead which they can perceive.

The Mysteries of Spelling.

The proprietor of a country shop once worked himself nearly into a brain fever endeavoring to make intelligible the following note given to him by a small boy, the son of one of his customers:

"mister Cream

"Wunt you let my boay hev a pair of Easy toad shuz?"

However, he was probably not more horrified than the schoolmaster who received a letter from a man who wrote:

"I have decided to inter my boy in your scull."

The letter which one person wrote to an editor, when discontinuing his paper, contains internal evidence of the truth of its assertions:

"I think foulks ortent to spend their mune for paypur my dident and everyone said he was the intelligenst man in the country and had the smartest family of boys that ever dug taters."—Tit-Bits.

It Didn't Work.

An old Hot Springs colored woman went to the pastor of her church to complain of her husband, who, she said "wuz a low down wu'thless triflin' niggah." After listening to a long recital of the delinquencies of her neglectful one and her efforts to correct him, the minister said, "Hab yo' eber tried heapin' coals ob fire upon his head?" "No," was the reply; "but I's tried hot water."—Household Words.

"Every politician has his price," but the most of them can be bought at cut rates.

LEGAL DECISIONS.

Moore v. Woodstock Woolen Mills Co.*Highway—Dedication—User—Evidence.*

In order to establish the existence of a public highway by dedication it must appear that there was not only an intention on the part of the owner to dedicate the land for the purposes of a highway, but also that the public accepted such dedication by user thereof as a public highway.

In a case where the evidence as to the user was conflicting and the jury found that there had been no public user of the way in question, the trial judge disregarded this finding and held that dedication was established by a deed of lease filed in evidence, and this decision was affirmed by the whole court.

Held, that as such a decision did not take into account the necessity of establishing public user of the locus it did not stand, Judgment of the Supreme Court of New Brunswick reversed. Appeal allowed with costs.

Martin vs. City of Hamilton.

Judgment in action tried without a jury at Hamilton. Action by Joseph Martin to restrain the defendants from obstructing an alleged watercourse, a box-drain, by means of which the water was dammed back and caused to flow over the surface of the ground, and so upon and over the plaintiff's lot on Hannah street, in the city of Hamilton, by reason of which his buildings were injured. Held, that the *causa causans* was not the obstruction of the drain, but the closing up of the watercourse to the north, and the construction of the private drain and its junction with the box-drain across the alley-way were not shown to have been with the knowledge or consent of the defendants. Nor is the water which did the injury, water which would have gone into the box-drain as originally constructed. *Ostrom vs. Sills*, 24 A. R. 526, 28 S. C. R. 485; *Wilton vs. Murray*, 12 Man. L. R. 35; *Darby vs. Crowland*, 38 U. C. R. 338; *Fitzgerald vs. City of Ottawa*, 22 A. R. 297, and *Dalton vs. Township of Ashfield*, 26 A. R. 363, referred to. Action dismissed with costs.

Township of Chinguacousy vs. McLellan.

Judgment in action tried without a jury at Brampton. Action for an injunction restraining defendant from interfering with or obstructing a certain ditch or watercourse, and for a mandamus directing him to remove the obstruction and restore the ditch to the condition it was in before Sept 3, 1898, and for damages. Judgment for the plaintiffs for an injunction and a mandamus as prayed with costs. Costs of interim injunction motion to be in the cause. *Jarvis v. City of Toronto*, 21 A. R. 365, 25 S. C. R. 277, referred to.

Campbell vs. Public School Trustees Sec. 7, Township of Albion.

Judgment in action by plaintiffs, rate-payers of Township of Albion, to restrain defendants from proceeding with erection of any school house upon any other site than that fixed in the award dated February 22, 1899, and to compel such erection on the sight mentioned in the award. Held, that the description of the site in the award is too indefinite, it being manifest that it would be impossible to ascertain the site chosen from the award itself, and also that the award does not determine how much land is to be taken, and that the arbitrators should have taken evidence as to whether conditions in the school section existed which called for an acre of land for school purposes. See *Vance vs. King*, 21 U. C. R., at p. 200. Action dismissed with posts.

City of Ottawa vs. Ocean Accident and Guarantee Co.

Judgment in action tried at Ottawa without a jury. The defendants issued a policy indemnifying plaintiffs against liability on account of bodily injuries sustained by their employees or other persons on streets or sidewalks in the City of Ottawa under circumstances imposing a common law or statutory liability upon the corporation. Upon the happening of an accident to one McGowan he brought an action against the plaintiffs, who forwarded the writ to the defendants, stating that they, under the terms of the policy, should defend it. A defence was made under protest McGowan recovered judgment with costs, which the present plaintiffs paid, and bring this action to recover the amount paid. These defendants counter-claimed for damages, being the amount of costs paid their solicitors for defending the action. Action dismissed with costs, and counter-claim dismissed with costs.

City of Kingston vs. Rogers.

In this action of Mr. Justice Street held, that R. S. O., 224, section 135, sub-section 1 of the Assessment Act, which provides that the collector may levy for arrears of taxes "upon the goods and chattels wherever found within the county belonging to or in the possession of the person who is actually assessed for the premises, etc.," does not authorize the collector to levy upon the goods which are already in *custodia legis* as goods under seizure by a bailiff for arrears of rent due a landlord.

Johnson vs. City of Hamilton.

Judgment in action tried without a jury at Hamilton. Action for damages for injuries sustained by plaintiff owing to alleged accumulation of ice and snow on a sidewalk in the City of Hamilton. Action dismissed without costs. *City of Kingston vs. Brennan*, 27 S. C. R., pp. 56-7-8, and *Forwood vs. City of Toronto*, 15 O. R. 34, referred to.

Hornby vs. New Westminster Southern Railway Company.*Railway—Water and Watercourses—Flooding of adjoining Lands caused by Construction of Railway Embankment—Damages—Negligence—B. C. Stat. 1887, c. 36.*

The plaintiffs were the owners of land having a slope and natural drainage towards the sea. The defendants under authority of an Act of parliament had constructed a line of railway through this land, (which was then owned by the plaintiffs' predecessors in title) and had thereby cut off the ditches which had been constructed on the lands in question for the purpose of drainage. The defendants for the purpose of protecting their line cut a ditch parallel with the embankment on which the line was built, and cutting across the ditches on the plaintiffs' lands which hereafter emptied into the defendants' ditch. The defendants constructed a flood gate being insufficient to carry off the water accumulated in the defendants' ditch, the plaintiffs' lands were flooded.

Held that under the defendants' special Act (incorporating section 16 of the Railways Clauses Consolidation Act, 1845) the construction of the embankment and ditch were authorized by the legislature and that the plaintiffs could not complain of the flooding of the lands caused by the construction of the embankment.

Held, also (reversing the judgment of Irving J.,) that no duty or obligation was imposed on the defendants to see that the plaintiffs had an outlet through their ditch which collected on their lands.

This is a case recently decided by the Supreme Court of British Columbia.

An Important Judgment.

Mr. Justice Falconbridge in the case of Ricketts against the town of Markdale has given a decision of the utmost importance to municipal corporations. Judgment was in regard to an action tried at Owen Sound brought to recover damages for loss occasioned to plaintiff owing to the death of his child, under 21 years of age, while playing on the highway. The court finds all the facts in issue in the plaintiff's favor, and assesses damages at \$450, but finds himself, in the absence of English or Canadian authority obliged to follow the proposition of law laid down in some of the United States courts, viz: "Little children using a highway merely for play purposes are putting it to a use for which it was not intended, and cannot recover for injuries due to defects or obstructions. The American cases supporting the foregoing proposition seem to be founded on a condition of law as to municipal liability similar to that existing in Ontario. This ground is a complete defence to the present action and defendants must, therefore, pay the costs to the third party brought in for their protection. Judgment accordingly and dismissing action without costs. Stay for thirty days.

Township of McKillop vs. Logan.

Ditches and Watercourses Act, 1894 (O)—Owner of Land — Declaration of Ownership—Award — Defects — Validating Award—57 Vict., c. 55 ; 58 Vict., c. 54 (O).

A lessee of land with an option to purchase the fee is not an owner who can initiate proceedings for construction of a ditch under the Ditches and Watercourses Act, 1894, of Ontario. Township of Osgoode vs. York, 24, S. C. R. 282, followed.

If the initiating party is not really an owner, the filing of a declaration of ownership under the Act does not confer jurisdiction.

Sec. 24 of the Act, which provides that an award thereunder, after expiration of the time for appealing to the judge, or after it is affirmed on appeal, shall be binding, notwithstanding any defects in form or substance either in the award or any of the proceedings, does not validate an award or proceedings under the Act where the party initiating the latter is not an owner.

Anderson vs. City of Guelph and the Guelph Street Railway Co.

This was an action brought by Mr. Jas. Anderson against the city and the Guelph Railway Company, for the value of gravel which he alleged they had taken from his lots on St. Arnaud Street. Mr. Anderson has several times applied to the city council for payment of his claim, but they, believing they were not responsible for the gravel taken, refused to pay for it. At the October Division Court, Mr. Anderson's suit was brought up in the nature of a claim for damages, but, at his request was then amended to a claim of 400 loads of gravel at ten cents a load, and the trial adjourned to the November Court.

The case was heard on Thursday, before His Honor, Judge Jamieson, and after a long and careful investigation, he held that no liability had been established against either the City or the Guelph Railway Co., because it was not clearly shown that any specific quantity or indeed any quantity at all, of gravel, had been taken by either of the defendants from Mr. Anderson's lot. The plaintiff was accordingly non suited, without costs.

Wedge vs. Town of Waterloo.

For not keeping the road between Galt and Preston in a safe condition for drivers during last winter, the township of Waterloo was on Monday ordered to pay the plaintiffs, of Sheffield, the sum of \$760 and to bear costs of the action brought by them against the township. The plaintiffs were one Saturday evening last spring driving in a sleigh down the Preston road, when their conveyance was run into by a trolley. The road had been badly drifted and the township authorities had made no effort to shovel out a passageway for general traffic, so that for quite a long stretch it was necessary to

drive close to the car tracks. Both the occupants of the sleigh were thrown out and sustained severe injuries, while their sleigh was almost destroyed. They brought action against the township and it was heard on Monday the 30th Oct. last, by Judge Armour at Berlin. His Honor ordered the township to pay Wedge \$500 for pain and suffering experienced, \$260 for direct loss and cost of medical attendance, and to bear the costs of the action. Dr. Dan Buchanan, of Galt, gave evidence as to the extent of the injuries to the plaintiff. This should teach the Waterloo township council that they must keep this highway in a safe, passable condition. For years drivers have complained of the way the road is allowed to drift up, but their complaints have been of no avail.

Taylor vs. Township of Brooke.

Mr. Thomas Hodgins, Q. C., held court in Sarnia as drainage referee, in the latter part of October. He tried the action of Eli Taylor against the township of Brooke. A considerable number of years ago, the defendant township constructed a drain along the south side of the 12th concession road emptying into the townline drain between Brooke and Enniskillen, and in its course passing along the north limit of the plaintiff's farm. About four years ago, the township authorities put a six inch tile into the western 90 rods of the open ditch and filled in that part, but left the remainder an open ditch, the tile meeting the open ditch in front of Mr. Taylor's farm. He complained that the tile was wholly insufficient to carry away the volume of water brought down by the open ditch, and that his farm was in consequence flooded. The action was for damages to crops, etc., by reason of the flooding. The plaintiff's evidence occupied all Wednesday and until noon Thursday. It appearing at the close of the plaintiff's case that he had suffered considerable damage, it was agreed between the parties without going into the evidence for the defence, that a verdict should be entered for the plaintiff for \$225 and the costs of the suit.—*Sarnia Observer.*

A writ has been issued to quash the local improvements by-law ratified by the electors of the town of Welland last spring. All the by-laws—for streets, walks, school house and town hall—are opposed, the court being asked to quash them, restrain the council from doing work under them, and selling the debentures. If quashed, the by-laws would in all probability be carried again; the worst feature of the matter is the delay that will be incurred.

A by-law to raise \$54,000 to bonus the Botsford-Jinks Co. to build an elevator in Meaford, and the G. T. R. to extend the railway to the harbor will be voted upon by the people of that town in the near future.

Gardiner vs. Township of Tilbury East.

This was an appeal by the defendants, from judgment of the drainage referee finding the plaintiff entitled to \$100 damages and costs of an action for damages which was brought in the County Court of Kent and referred, by an order of the County Court Judge, to the drainage referee for trial. The action was for negligence and improper and unlawful acts whereby the drains of defendants backed up their water and overflowed their banks and flooded the plaintiff's land, whereby plaintiff suffered losses. The appellants contended that there was no negligence on their part, but there was negligence on the part of the plaintiff which at least contributed to the injury. Appeal dismissed with costs.

Re Forester and City of Hamilton.

Judgment on motion to quash by-law 999 of the city of Hamilton, "respecting the Public Health by-law and for regulating and licensing milk vendors," passed on March 27, 1899, and to come into force on May 1, 1899. Held, that the by-law is ultra vires because it delegates to the Board of Health the power to cancel the licenses to be granted under the by-law. *Hodge vs. the Queen*, 9 App. Cas. 117, and the *Queen vs. Burrah*, 3 App. Cas. 889, followed. Other Objections raised not necessary therefore to consider, as above is fatal. Order made quashing by-law with costs.

An Awkward Situation

An awkward situation, the result of negligence, was disclosed at a recent session of the Town Council of Toronto Junction. Nearly a year ago it was agreed between the Council and the Gasoline Engine Company that the premises and works of the company should be exempted from taxation. A by-law to that effect was not enacted immediately. In fact, no action was taken till last June. In the mean time the Legislature amended the municipal act so that such exemptions can only be granted by a vote of the ratepayers. The amendment provided, however, that pending negotiations could be closed up, if completed before September 1 of this year. The exemption by-law relating to the Gasoline Engine Company did not come up for second and third reading till a few evenings ago, when the Town Solicitor refused to sanction its passage because it was illegal. In the meantime the company has gone on with its business and is now in active operation. The council is anxious to keep faith in the matter and last evening it suspended the rule under which all by-laws are to be initialled by the Solicitor, and then gave the measure a second and third reading. The by-law is admittedly illegal, and the Legislature will be asked to ratify it under the exceptional circumstances.

The properly-balanced man is a materialist until he secures a loaf of bread, and then he becomes an idealist, and dreams of a garden of lilies.

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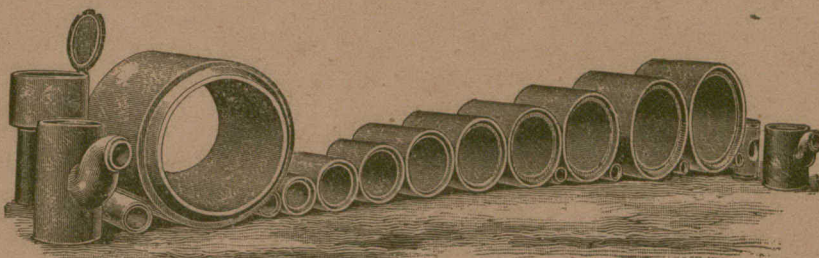
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