

The Municipal World

Published Monthly in the Interests of Every Department of our Municipal System—the Best in the World

Vol. 2

ST. THOMAS, SEPTEMBER, 1892.

No. 9.

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MUNICIPAL CLERKS.

LYTLE'S RATE TABLE will assist you in entering Taxes in the Collector's Roll. It gives rates by tenths of a mill from one to nine and nine-tenth mills. The author, a Clerk of considerable experience, knowing what was wanted, issued the work, which should be in the office of every Clerk. Price \$2.00

ADDRESS ORDERS TO THE MUNICIPAL WORLD,
ST. THOMAS, ONT.

CALENDAR FOR SEPT'R-OCT'R, 1892.

Legal, Educational, Municipal and Other Appointments.

SEPTEMBER.

1. County Model Schools open.
First day on which ducks may be killed.
14. Last day for Judge to defer judgment in appeals from Court of Revision for Shuniah Assessment Act.—Section 68.
15. Last day for receiving appeals against the High School primary and leaving examinations.
County selectors of Jurors meet.—Jurors Act, Sec. 13.
First day on which grouse, pheasants, partridge, woodcock, snipe, rail, plover, geese and swan, black and grey squirrels and hares may be killed.
20. Clerk of the Peace to give notice to Municipal Clerks of number of Jurymen required from the Municipality.—Jurors Act, Section 16.

OCTOBER.

1. Last day for returning Assessment Roll to Clerk, in Cities, Towns and Incorporated Villages, where Assessment is taken between 1st July and 30th September.—Assessment Act, Section 52.
Last day for delivery by Clerks of Municipality to Collectors of the Collectors' Rolls, unless some other day be prescribed by by-law of the Local Municipality.—Assessment Act, Section 120.
Notice by Trustees of Cities, Towns, incorporated Villages and township Boards to Municipal Clerk to hold Trustee elections on same day as Municipal Elections due.—P. S. Act, Section 103, (1).
3. Night Schools open (Session 1892-93).

* NOTICE *

We desire to ensure the regular and prompt delivery of this journal to every subscriber, and request that any cause of complaint in this particular be reported at once to the office of publication. Subscribers who may change their address should also give prompt notice of same, and in doing so should give both old and new address.

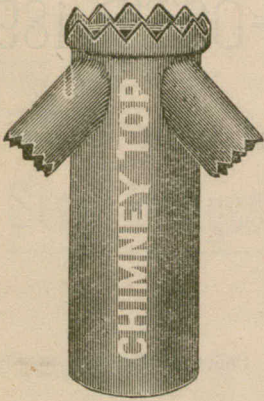
As many people, either thoughtlessly or carelessly take papers from the Post Office regularly for some time, and then notify the publishers that they do not wish to take them, thus subjecting the publishers to considerable loss, inasmuch as the papers are sent regularly to the addresses in good faith on the supposition that those removing them from the Post Office wish to receive them regularly, it is right that we should state what is the law in the matter.

1. Any person who regularly removes from the Post Office a periodical publication addressed to him, by so doing makes himself in law a subscriber to the paper, and is responsible to the publisher for its price until such time as all arrears are paid.
2. Refusing to take the paper from the Post Office, or requesting the Postmaster to return it, or notifying the publishers to discontinue sending it, does not stop the liability of the person who had been regularly receiving it, but this liability continues until all arrears are paid.

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NO. 9.

The Municipal World.

PUBLISHED MONTHLY.

ONE DOLLAR PER ANNUM IN ADVANCE.
SINGLE COPY 10c.

Address all communications to

K. W. McKAY, EDITOR,
Box 749, St. Thomas, Ont.

Communications and advertisements for next issue must be in on or before the 20th of this month.

ST. THOMAS, SEPTEMBER 1, 1892.

As the season advances, local boards of health are apt to become negligent. Many are satisfied with having made a good showing in the early part of the year. We would remind them that it is neglect of this kind that causes epidemics, small-pox and cholera to take a strong-hold on localities, and in this season, in towns and villages especially, should the authorities be vigilant, for they cannot tell at what time they may be called upon to contend with cases of these dreadful diseases, of which so many cases are reported, and which the provincial authorities are trying to keep from entering the province.

* * *

Municipal clerks are no doubt often amused at the requests for special information received from individuals living in different parts of the province and the United States. The circular issued by *The Bankers' Journal* is the most elaborate we have seen for some time. It contains a politely worded request for a copy of any and every by-law under which de-bentures have been issued, together with other particulars. We hope *The Bankers' Journal* and *Financial Review* will not suffer if it fails to receive replies from all the municipalities. At this season of the year clerks have enough to do to attend to the duties of their office, without devoting the time required to answer the thirty-seven or more questions contained in the circular. Manufacturing concerns are also in the habit of endeavoring to ascertain from clerks the financial standing of rate-payers in a municipality, against whom they have claims. Clerks will do well to refuse all such applications for information, unless they are accompanied by a sufficient sum to remunerate them for their services.

* * *

An interesting matter was brought to our notice the other day by a solicitor who was asked by a council to advise

them as to their authority in reference to the cutting of trees on property adjoining a road, and as provided for in section 266, sub. sec. 3, Consolidated Municipal Act, 1892. This section does not apply where the trees are only on one side of the road, the words in the section, "through a wood" means that the council would only have the power when there were trees on both sides of the road. This renders the section comparatively inoperative, and we believe it should receive the attention of our legislators, as very often councils will be prevented from improving high-ways owing to their inability to cause the removal of trees which may shade it.

* * *

Towns and villages considering the advisability of making street improvements under the local improvements clauses of the Municipal Act, will do well to decide, before improvements are made, whether street intersections are to be paid for out of the general funds of the municipality, or by frontage on the streets improved. Where one street is improved and it is crossed by a number of streets which are not improved, but which may be at some future time, it does not seem right that the street at first improved should be required to pay for intersections for which other streets, when improved, will receive the benefit. Section 627 of the Consolidated Municipal Act, 1892, refers to the by-law necessary to determine this matter. Section 620, sub-section 4, relating to the assessment of corner lots for local improvements, should also receive consideration.

* * *

It has been suggested that the legislature should pass an Act doing away with the statute labor system at present in operation in this province. It is now optional with townships whether they repair the roads under this system or not, and wherever a change has been made, it has been found to work satisfactorily, and bring about great improvements in the roads with more economical expenditure of public money.

The agitation for doing away with the statute labor may be compared with that which resulted in the establishment of our free school system, and which would never have been a success had it not been made compulsory by legislative enactment. Any reform suggested meets with strenuous opposition, and in the case of the abolition of statute labor the opposition will be found to come from parties who, every year, perform their work in such a

ridiculous manner as to render the adoption of some better system almost compulsory, and rather than waste time discussing the matter with these individuals councils should take the matter into their own hands, and at the same time order a petition to the legislature to pass an Act repealing the sections of the Municipal and Assessment Acts relating thereto. It might be necessary to make some special provisions so that in unorganized townships the statute labor system could be continued if it was thought advisable on the part of the local council.

* * *

The amendment of section 109, of the Public Schools Act, so that it does not apply to union school sections composed of part of a township and an incorporated village or town, draws our attention to an injustice in the payment of the county public school grant. Under sub-section 3, of section 122, of the Public School Act, county councils are required to levy in township municipalities an amount for public school purposes equal to the legislative grant. The county inspector, in apportioning these grants as required by section 123 of said Act, to union sections, composed of part of a township and an incorporated village, or town, distributes an amount equivalent to the number of pupils from the township portion of the union section that attend the school, this goes in with the general funds of the section.

The council of the town or village portion of the section is not required to raise an amount equivalent to the government grant, and while the township portion is called upon to pay its full share with the other parts of the section, they do not get credit for this special county grant paid in through the inspector's order. If a town or village were required to raise an amount equivalent, and pay it to the school board, and the balance required raised from the section as a whole, no injustice would be done to the township portion, and they would not be required to pay any part of the amount the village or town should be required to raise. We would suggest that section 122 be amended so that the rate for county public school grants be not levied in union school sections composed of part of a township and a village or town, and also that section 123 should be amended so that the inspector in distributing the county grant shall not include these sections. All schools are on about the same basis as far as the legislative grant is concerned.

CORRESPONDENCE.

This paper is not responsible for opinions expressed by correspondents.

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

Trustees' Duties.

To the Editor of THE MUNICIPAL WORLD:

SIRS,—Under S. S. 8, of section 40, of the Public Schools Act, it is the duty of school trustees to apply to the township council on or before the 1st of August to levy and collect all necessary sums for the support of their school, etc. The act does not give trustees authority to apply to the township council for the above purpose after the first of August, but still this is the invariable practice among trustees of rural school sections, and rather than give offence to the trustees the township council complies with their requirements. I believe the act should be amended so as to compel trustees to levy and collect their own rates when they fail to apply to the council as the law directs.

Again, under S. S. 10, of Section 40, above cited, trustees have an important duty to perform, which the majority of trustees fail to observe. I would like very much to have your opinion on the above two sub-sections.

A MUNICIPAL CLERK.

We have been aware for some time that Public School Trustees do not perform the duties required of them by sub-section 8, section 40, of the Public Schools Act promptly, but their delay does not relieve the council of the duty imposed on them by sub-section 3, of section 109, of the same Act. In most townships, trustees are notified early in July to send in amount required for the year, and while some of them may delay the clerk in his work by not sending in the amount, still this system of collecting the taxes has been found to work much more satisfactorily than the old system by which the trustees collected the rate themselves from ratepayers in the section. Our practice is, at the August meeting of the council, when the by-law is passed levying trustees' rates, to leave blanks for amounts required by sections not reported at that time. These are filled in as received.

Sub-section 10, of section 40, of the same Act, requires trustees to give notice in writing before the 15th day of January in each year to the clerk of the township in which their school is situated of the names and post office addresses of the trustees. This section is very seldom, if ever, complied with, but any clerk would, no doubt, on application to the public school inspector, receive a list of the secretary-treasurers of the school sections of his municipality, and if thought advisable, it might be made the duty of the public school inspector each year after he has completed list for the county to send the names and post office addresses of each secretary-treasurer to the municipal clerks

of the different townships in the county.

The dates given in the sections named are, in our opinion, directory (the same as dates given the Municipal and Voters List Acts) and in case trustees neglect the duties imposed by these sections or refuse to perform them they are liable to the penalty imposed by section 195, Public Schools Act.—ED.

Municipal Clerks' Association.

County of Oxford.

MR. EDITOR,—If you have space in your valuable little WORLD I will give you a brief synopsis of our doings as an association. Previous to this year our assessment and collectors' rolls were not satisfactory in many respects, causing no little trouble to the equalization committee of the county council. It occurred to the committee that it would be a good move to invite all the municipal clerks of the county to assemble in the county clerk's office in Woodstock and prepare a more complete form of said rolls, which was done, and the result so satisfactory to the council that they voted we should meet again to discuss municipal matters, paying us for each meeting \$3 per day and mileage. We met again yesterday in convention, and spent a very profitable day, discussing every separate class of municipal work, from dogs to drainage, agreeing as far as possible to a uniformity of work, and unravelling many of the peculiar twists of municipal law. At the close of a hard day's work we resolved into a permanent association of municipal clerks, electing a chairman and secretary, to meet annually for the purpose of discussing and promoting new legislation pertaining to municipal work. I would heartily recommend all municipal clerks to form themselves into county associations for mutual improvement, and the general benefit of their respective municipalities. The following resolution was unanimously carried: Resolved, that we, the municipal clerks of the county of Oxford, in convention assembled, heartily endorse "THE MUNICIPAL WORLD" and pledge it our continual support, and that we make use of its columns for discussion of topics interesting to municipal officers, and do cheerfully recommend it to all municipal clerks and other officers. Yours truly,

E. CODY,

Sec. Co. Oxford Municipal
Clerks' Association.

Embrow, July 23, 1892.

Clerks' Salaries.

To the Editor of THE MUNICIPAL WORLD:

I notice in your last issue that another municipal clerk complains of the small remuneration they receive for the amount of work required to be performed, and stating that municipal councillors do not know the amount of work that a clerk has to do. To some extent this is true, but

it is the same with all public offices. The writer claims that members of the legislature do not know the amount of work required to be performed by the clerk. I think it is presumptuous and unreasonable to think that the legislature should have any more jurisdiction over clerks' salaries than they have now. For instance, if I hired a clerk to go into your office at a set remuneration agreed to by him, and you were required to abide by my agreement, although you have to pay him from your own funds, or say you send me a hand from your office to my farm and I have to pay the remuneration you have agreed to, Mr. Editor, that would surely be despotic, and not an act of British fair play.

I would say, again, that in my opinion, we have too many acts, too many sessions, too many members, and too many changes. If members and sessions were curtailed one half, there would be more time taken in ruling the country and less time devoted to party purposes.

I would like to hear from others on this subject, as THE MUNICIPAL WORLD is open to all, and the province of Ontario is large, and officers too plentiful. Let us hear from all.

REEVE.

Clerks' Salaries.

To the Editor of THE MUNICIPAL WORLD:

DEAR SIR,—In looking over your valuable pages of the month of August, I see the scale of clerks' salaries laid down by CLERK. Now, sir, I think the scale should be laid down at twenty-five cents per head for every person that is on the roll. The only difficulty would be, the council would not know the clerk's salary until the 30th of April, the time for the return of the assessment roll. Even at that rate the clerk is not paid according to clerks in other positions.

I also see a piece about municipal officers' association in the August number, Now, sir, the clerks have never been wakened up to their position until *the Miscellany* or THE MUNICIPAL WORLD came into their hands, and I think they will now take it up if you advocate it. The exhibition in Toronto will be held from the 5th to the 17th of September; now, if you could get some of the most influential clerks in the province of Ontario to call a meeting in Toronto during the exhibition, I think it will be well attended, and increase every year after. You also say a strong effort was made on a previous occasion in this direction, which was an entire failure. Now, sir, I paid up my dues until it stopped, start it again and I am in favor of it. Yours truly,

C. P.

(Continued on page 118.)

The lieutenant-governor has issued his proclamation bringing the Torrens system of land transfer into force in the county of Elgin and city of St. Thomas.

State of Kansas Municipal System.

We were pleased to receive last month a call from Mr. J. R. Burkholder, one of the commissioners of Marion county, in the State of Kansas. Believing that a short description of the municipal system in vogue in that state would be interesting to our readers, we have been pleased to note the following remarks of Mr. Burkholder in reference thereto.

"Marion county is about thirty miles square, and contains twenty-four townships, and in place of the county council, three county commissioners are elected, one retiring every year, they are eligible for re-election. The counties are divided into three districts, and a commissioner elected for each by the voters in the district. The districts are composed of townships, and in dividing the county into districts the population of the townships is considered. The commissioners have four regular meetings every year, in addition to special meetings as required. The meetings are held at the county town, the senior commissioner is always chairman, and has the oversight of the poor house and farm in connection therewith. The county commissioners look after all the county roads and bridges, and have control of the expenditure of the county taxes for such purposes, much the same as county councils in this province. In all the older counties poor houses, with farms of 160 acres, have been established, and are maintained out of the general county tax. The county clerk is elected by vote of the whole county, every two years, and is eligible for re-election but it is not often that one clerk holds office more than four years. He acts as secretary for the commissioners. The county clerk prepares yearly the collector's roll for every township in the county. The township trustees and the trustees for each school section, and the county commissioners, report to the county clerk the amount they require to have raised in the county, township and school districts respectively. The assessment of land is made every two years, while personal property is assessed every year. The county officers are paid by salary fixed by state legislature, and the commissioners receive \$3 per day when they are actually engaged with the business of that office. The county clerk receives \$2,000 per year, and the county treasurer \$4,000. All county moneys, and all township, school and county taxes are paid to the county treasurer at his office, in county town, yearly, with the privilege of paying them half yearly on the 20th December and 20th June. If all taxes are paid on the 20th December a rebate of 5% on half the taxes is allowed. The county treasurer gives \$200,000 security, which has to be acceptable to the county commissioners. The security is generally a bond signed by the treasurer and bondsmen. In giving the security, banks with

which the county account is kept generally assist the treasurer.

There is also a county school inspector who receives \$1,500 per year, and is elected every two years. All applications for alterations in the schools or districts are reported to him, and he decides thereon, if the decision does not give satisfaction, it may be changed on appeal to the county commissioners. The county surveyor is elected every two years, and receives \$5 per day only when employed. He is the only surveyor in the county, authorized to lay out lines between lots, road lines and drainage work. The sheriff has charge of the goal and constables throughout the county and is paid by fees. All accounts are audited by the county commissioners and they go over the county treasurer's books once a year.

In addition to the county officers mentioned, there is a pauper doctor, one for each of the three districts, one of whom is the physician for the county poor house. They are paid small salaries, and the poor in the respective districts are entitled to their services free.

In townships a trustee is elected every year. He is general superintendent of the roads, and looks after the poor and sends them to the poor house, and for this receives \$2 per day when employed. The trustee also does the assessing every year for which he is paid by the county commissioners to whom he is responsible. Township clerks and treasurers are elected yearly, who, with the township trustee, form the township board. They meet quarterly and have special meetings when required and receive \$2 per day for their services. The township trustee is chairman of the board and acts as returning officer at the local elections. There is no voter's list prepared in the township and on the day of election, people come up and register their votes. The townships average six miles square so that trustees know nearly every one who comes forward to vote.

The work on roads and bridges is paid for by the township treasurer, and expensive works on roads and bridges are reported to the county commissioners and paid for by them. Bridges are classed township and county bridges, and all costing \$1,000 and over are paid for in part by the county bridge. The road system is divided up into two classes, county and township, which are maintained by the respective authorities.

Overseers of highways are elected yearly by the electors of the road district. In an average township there are three road districts, and an overseer for each. The overseers, with the trustee, decide on the improvements necessary, road lists are prepared by the clerk and handed to the overseer who sees that the work is performed. The trustees are appointed for each school district, and they retire in rotation the same as in this province"

The Game Laws.

The close season for deer, elk, moose, reindeer, and cariboo is fixed at 15th November, to the 1st of November of the following year. The killing of these animals, except deer, is prohibited until November, 1895.

Dogs accustomed to pursue deer must not run at large during the hunting season, and such dogs found running may be killed on sight.

The killing of deer by any one person is restricted to two in each season.

Hunting or killing deer by "crusting" or while "yarding" is declared unlawful.

No fawn shall be hunted, killed, taken or possessed.

Common carriers and others are prohibited from transporting any wild deer or the skin thereof, on any occasion, except between 1st and 22nd of Nov. in each year, unless accompanied by an affidavit that the same was hunted and taken during the open season.

The close season for grouse, pheasants, prairie fowl or partridge, woodcock, snipe, rail, plover or any other waterfowl, or game bird or animal (including black and grey squirrels and hares), not otherwise provided for, is fixed at 15th Dec. to 15th Sept. of the following year. Quail and wild turkey, 15th Dec. to 15th Oct. following. Swan or geese 1st May and 15th of Sept. following. Ducks of all kinds 15th Dec. and 1st of Sept. following.

Wild turkeys are preserved until 15th of Oct., 1897, and beaver, otter or fishes until 1st Nov., 1897.

The killing of ducks is limited to 300 by one person in one season.

Killing or shooting swans, geese or ducks from sailing boats or steam yachts is prohibited, and also the killing or shooting any bird or wild fowl between sunset and sunrise. Also hunting or killing any game animals or birds on the Lord's day.

The time for exposing for sale after close seasons is shortened from fifteen days to five.

The sale of quail, snipe, wild turkey, woodcock or partridge is prohibited for two years.

Hunting on the lands of other persons is prohibited, when without the leave of owners. Notice of such prohibition can be put up for every forty acres of land.

Non-residents of Ontario and Quebec must take out a license at \$25 for each season, which must be produced on request. Guests of a resident free for one week.

A Board of three Fish and Game Commissioners, and a Secretary, is to be appointed, who can make regulations and appoint a chief warden and other game and fish wardens.

Procedure is provided for the enforcement of the Act.

The Municipal World.

This is the name of a new monthly publication that will be found very useful in supplying necessary useful information on municipal matters. The field is large and important and we predict a career of usefulness if the journal keeps up to the standard of its present issue. This is its second volume and should be in the hands of every intelligent councillor, trustee and municipal officer who desires to discharge his duties efficiently.—*Trenton Courier.*

A circular sent out recently by the educational department states that "One hour each week must now be employed in teaching temperance and hygiene in every public school, and that inspectors are required to see that this regulation is carried out."

The Single Tax.

Assessment commissioner Pratt, of Ottawa, recently read a paper before the board of trade in that city, in which he considered our present system of taxation, and showed in a concise manner what would be the result if a tax upon land alone were adopted instead of the present method. The first principle of taxation, he said, is, or ought to be, equalization. It made no difference whether the rate of a city, town or village is high or low if the principle of equalization is carried out. If this is not the case there are just grounds for complaint, some taxpayers having to bear their own taxes as well as a portion of the taxes of others. There was a general complaint against assessors, he said, in Ontario, and there was dissatisfaction on all sides, which made it evident there was something

WRONG IN THE SYSTEM.

The assessors were not all a bad lot of men. It was a duty of the public to enquire into the cause of this discontent and see if some other method cannot be adopted to remove the dissatisfaction. The present system, he said, was a relic of the barbarous ages, as little or no improvement has been made upon it for the past fifty years. The legislation that takes place every year has a tendency to make the machinery more and more complicated. Even a Philadelphia lawyer could not understand the assessment law as it related to personal property and income. It is therefore not to be wondered at if discontent prevails at assessment generally. "Actual cash value" is given as the basis of assessment of all real and personal property upon which it is hard to get two men to agree, and so long as opinions differ, so long will there be dissatisfaction among the tax-payers. A most equitable and consequently a more satisfactory system might, he thought, be adopted. The present system taxes land and improvements. He favored taxing the land and allowing the

IMPROVEMENTS TO GO FREE.

In this way the monopolist in land would bear his fair share of taxation, and while his land became more valuable every year by the industry and improvements of his neighbors, he would at least contribute some of its increased value to the city treasury, and hence lessen the amount of taxation to others. The first thing that commands land tax to our judgment is its simplicity and fairness, land being more easily and accurately valued. Experience shows there is little difficulty in valuing land, while all the difficulty is in valuing improvements. A house that cost \$10,000 in one locality is worth every dollar that it cost, while if the same building were in another place it would not be worth probably fifty cents on the dollar. In these cases the land values are easily determin-

ed, but the trouble arises over the improvements. In this respect, he said,

SINGLE TAX COMMENDED ITSELF,

because it encourages improvements, encourages the men of enterprise, the active men, the men who build up our cities. His contention was that active capital in any capacity should not be taxed; tax the passive property, the passive man if possible, but do not tax that which makes our country. Capital going into improvements to build up our cities and country is the kind of capital we want, not the capital that goes into the bank to draw four per cent. interest. But for active capital our cities would amount to nothing and yet we continue to tax it the moment we set eyes upon it, or in other words when it begins to

HELP THE MECHANIC,

the laborer, the merchant, or the city. If the land system were adopted there would be no exempt property in the city. He believed all the churches

WERE WILLING TO PAY

upon the land, but not upon the church, hence a large revenue in every city and lighter tax upon others, and in the end the burning question of church and charity exemptions would be settled. To show the result of such a system he presented statements and figures which on the whole showed a vast gain, although there was a big reduction made in many cases.—*Free Press.*

Municipal Institutions.

A township is entitled to be considered as the unit of municipal administration. It has a direct lineal descent from the primitive institutions which Cæsar found existing among the early inhabitants of Britain at the time of the Roman invasion. Its origin in this country is due to the people who first came from England to America. They were dissatisfied with the way church affairs were carried on in the old country, and were desirous of establishing a reform whereby members of the congregation should have more voice, than formerly, in the church government. It was owing to their inability to secure a reform of this nature that they crossed the ocean, settled in groups, and built their houses near together, so that they could all go to the same church. Thus a parish, which for municipal purposes is called a township, was formed, and consisted of as many farms as were within convenient distance from the meeting house, and around the meeting house a village gradually sprung up, with the customary tavern, store and town-hall.

Mutual protection in case of Indian uprising also favored settlement close to the general meeting place. These early settlers came from a race that, from a very early date, had been more or less accustomed to self-government, and to public meetings for discussing local affairs, and

self-government they were decided upon, maintaining it was for this they had crossed the ocean. The church was at first the meeting house for both civil and ecclesiastical purposes, and the system of local government, then developed, is very much the same to-day.

The township is the wisest invention ever devised for the perfect exercise of self-government, and for its preservation. It is the only association which is so perfectly natural that wherever a number of men are collected it seems to constitute itself. It is a division which stands between the commune and the canton in France, and which responds in general to the English tithing or town. Its average population is from 2,000 to 5,000, so that on the one hand the interests of the inhabitants are not likely to conflict, and on the other hand, men capable of conducting its affairs are always to be found among its citizens.

In a township, the people are the only source of power, and in no stage of government do the people exercise a more immediate influence. The public duties of a township are extremely numerous and minutely divided. The greater part of the administrative power is invested in the hands of five individuals called the municipal council. There are, however, a large number of other officials appointed to minor positions by the members of the council, and every inhabitant is constrained, on penalty of being fined, to undertake these different functions. A township, taken as a whole, and in relation to the government of the country may be looked upon as an individual who obeys the government, not because he is inferior to, or that he is less capable than his neighbor of governing matters, but because he acknowledges the utility of an association with his fellowmen, and because he knows that no such association can exist without a regulating force. Municipal independence is, therefore, a natural consequence of the principles of the government of the people in Canada. Townships are independent in all that concerns themselves, and are only subordinate to the higher government in those interests which are termed social, as they are common to all systems. As the townships increase in number, they became a part of larger districts called counties, without which a system of united self-government would be far from complete.

The necessity of providing the county of Perth with a poor house for the aged and indigent, who are unable to provide for themselves, has received government recognition. Dr. Chamberlain, prison inspector, has ordered prisoners of that class confined in the county jail to be furnished with civilians' clothing, and says that unless a poor house is built, it will be necessary to build an addition to the jail, where they can be kept separate from the criminal classes.

ENGINEERING DEPARTMENT.

A. W. CAMPBELL,
P.L.S., C.E., A.M.C.S., C.E.,
EDITOR.

Municipal Engineering.

It behooves the municipal engineer to see that proper and constant supervision is given to the work under his charge during its construction, as upon it depends largely the faithfulness with which the work is executed. For this purpose a person properly qualified to judge of the merits of the material and workmanship should be kept constantly upon the work, and he should receive his instructions from, and report direct to, the engineer in charge.

In many municipalities, the power of appointing such an inspector lies with the board of aldermen. This of course is wrong and to the detriment of the corporation doing so. The power of appointing or discharging inspectors for public works should rest entirely with the engineer. In fact, after the contract has been let, the engineer should be given entire and unrestricted charge, and he alone should be responsible for its faithful execution, and for the acts of his subordinates.

In the case of earth streets, the road-bed should be kept well rounded up, and all ruts filled in so as to prevent the water from standing upon and saturating it. In some places the habit prevails of depositing rubbish, old cans, chips, and the rakings of the back yards upon the streets. This should be prohibited by proper regulations. Ashes, especially coal ashes, are not detrimental to a road but rather an improvement, as a road-bed formed of this material presents a hard surface and is less liable to form ruts during wet weather. The side ditches should be constructed to a true and uniform grade, and kept free from rubbish, that the surface water may rapidly pass to the outlet provided for it.

It is frequently difficult in a flat level country with a clay sub-soil to prevent water from standing and stagnating in the street ditches. In such cases, tile drains placed two or three feet below the bottom of the ditches will overcome that difficulty, the bulk of the water passing over the surface to the outlet provided, the remainder, which usually remains stagnant and pollutes the atmosphere, will find its way into the drains, thus leaving the ditch in a clean, sightly condition.

The benefits to be derived from tile drainage cannot be overestimated. The system not only increases the healthfulness of the city by lowering the water line in the soil, but it drains and permits an earlier use of the road bed in the spring of the year, by carrying off the water caused by rain storms and melting snow and ice, instead of permitting it to remain and accumulate. In constructing tile drains

care should be taken to provide good outlets, as upon this largely depends their efficiency.

The cost of these drains is not large; ordinary three inch tile is sufficient where it is necessary to go far for an outlet. The tile can be laid from 60 cents to \$1.00 per rod, the manufacturers' list price is \$17.00 per 1000 feet. Usually a discount from price list of ten per cent. and better, can be secured for the tile delivered on the line of the work. Three inch tile, therefore, purchased off price list and laid for 75 cents per rod, will cost complete about \$1.00 per rod, and a corporation cannot invest its money to better advantage than by the construction of tile drains.

Paved streets should be kept clean and free from dirt. The frequency with which the streets should be cleaned will be determined by the uses to which they are put. Cleaning may be done by day labor or by contract, either by hand with brooms and shovels, or in dry weather with a street sweeper drawn by one or two horses, men and carts following behind the sweeper to take up and cart away the sweepings.

The impressions a stranger receives upon his first visit to a city depends very materially upon the appearance of the streets. A dirty street is not only unsightly, but unhealthy, as the accumulation of dust and dirt becomes saturated with the urine of horses and other offensive matter which is given off in noxious vapors during warm weather.

Ruts, holes and depressions in a paved street should be repaired as soon as discovered. The old adage of "a stitch in time" applies here with much force. A small hole or depression left to take care of itself will rapidly increase in size until what could have been repaired with a few cents at first will cost many times the amount to replace in good condition.

Water Supply.

VII.

Artesian or Driven Wells.

A great many municipalities are geographically located at such a distance from a surface source of supply as to prevent the economic transportation of the water demanded. Recourse is then had to the ground, and wells are either dug or driven. With the dug well the public is familiar and needs not to be further informed. Upon artesian or driven wells, however, information is constantly sought. It is an open question to what extent a well adjacent to surface waters may draw its supply therefrom, well water is therefore presumably taken from the ground.

The amount of water that may be obtained from surface supplies in certain sections of the county with given watersheds may be quite accurately predicted, for experience has taught that a definite proportion of the rain-fall on a water-shed of a given area may be relied upon, but

with regard to the amount of water that may be obtained from the ground, much depends upon the geological formation of the section and porosity of the ground through which the water flows.

It is a well known fact that water is ever present in all soils. But of the vast quantity we have but little conception. All soils are porous, and therefore water passes or flows through it as through a filter. The earth retains or keeps in store a certain quantity of water, the water thus retaining is not and cannot be filtered out, it can only be removed by the roots of trees, plants, by evaporation and by the hand of man. The quantity normally held is not the same in each soil, but differs with the kind of structure.

Experiments have shown that the power or capacity of the soil to retain moisture is closely connected with the growth of vegetation. The number of vertical inches of contained water in soil, to each foot in depth, has been shown to be about as follows:

Garden loam under cultivation, taken four inches below the surface, contained 2.09 inches per foot in depth of soil, or 56,700 gallons of water to the acre. Loam from a wood lot taken 15 inches below the surface contained 2.61 inches or 70,350 gallons. Another sample, six inches below surface, 2.37 inches or 64,350 gallons. These three samples were from soils not lately wet by rain and are each what would commonly be termed quite dry.

The next sample was from a cultivated field taken from a point within about 12 inches of a thin stream of water flowing on the surface and about six inches below the surface. This contained 4.94 inches of water to one foot of soil, or 134,100 gallons to the acre. This is a soil that would be generally called quite wet, and still the saturation point of good arable loam may possibly be higher than this sample. The quantity of water contained in good loam soil as per last sample, and ten feet deep, would be equal to 1,341,000 gallons per acre, or a depth of 49.4 inches or 4 feet 1.4 inch. A square mile of soil (640) acres would contain 858,000,000 gallons of water.

Common meadow mud and marsh mud are quoted as lying upon the extreme limit of soil in their capacity to retain water. A sample of meadow mud from a point where the ground would be called well drained contained 6.32 inches for each foot in depth. Mud disintegrated by frost, 4.03 inches. Mud air dried lying on the surface, 2.46 inches. The last sample would be called quite dry.

In a sample of wet mud taken below the water table in the soil 93 inches was found. Perhaps this may be considered saturated meadow mud. Such a peat or mud soil holds 252,500 gallons of water to the acre one foot in depth, and the air dried as above stated 66,800 gallons. Nine

inches of water to one foot of meadow mud and peaty matter seems, at the first view, a large quantity, but in a test of seven samples the average was 9.08 inches.

Samples of marsh mud give the following results, average three samples of a kind or mud clay and vegetable matter, 9.76 inches. One sample, 8.64 inches. Clay and vegetable matter, 8.47 inches; clay and vegetable matter from the bank of creek, 7.74 inches. Black mud 6.6 inches. Turf formation, 8.18 inches. Mud from under water and 5 inches below the bed of a standing pool, 19.59 inches or 260,000 gallons of water to the acre of soil one foot in depth. The seven samples above quoted indicate that the power of salt marsh mud to retain water is not essentially different from that of common fresh water mud and peat.

Experiments on soil from a dyked-out marsh brought to a fine state of cultivation showed that it had become about like air-dried and well-drained soil in fresh water meadows.

Experiments upon sand have shown for a coarse gravelly sample, quite dry, 0.93 inches. Fine building sand, quite dry, 0.33 inches. Fine gravel 3.13 inches. Beach sand, under mud saturated, 4.95 inches.

Out of loam and every variety of vegetable formation in the form of mud and peat and all combinations of these with sand and clay, water filters out with extreme slowness as compared with sand.

Yet through these soils, if given time enough and ample drainage, vast quantities will pass. The really impervious soils are the clays and the compact hard-pan.

Of the loam and peaty soil the capacity to retain water has a normal limit. Up to that normal limit no water will percolate through the soil; it can only be removed by evaporation or by the roots of plants. What that limit is, experiments have not determined.

Soils of this kind may contain and hold from 162,000 to 250,000 gallons per acre for each one foot depth of soil. Yet, notwithstanding this vast quantity of water stored in the soil, it is available for the water supply of only a single family, not for a village or a city. It is there on deposit and for other purposes than those of direct use.

Stored water for industrial or domestic use must come, if it comes from the soil, from the loose porous sands and gravels or the open fissures in the rocks. The driven well, or the filter gallery, can therefore only succeed where the conditions are favorable. In general it may be said that very fine sand, though it may hold a large quantity of water or coarse sand, yet makes a very unpromising field to work upon or experiment with.

The coarse sands and the open gravelly strata are the only soils that can be of any avail as supplies for villages, towns or city use.

Areas composed of good fair building sand, good clean beach gravel and sand, and the loose gravels, may contain, when saturated, from 3 to 5 inches of water for each foot in depth, or from 81,400 to 135,700 gallons per acre, or from 17 to 87 million gallons per square mile. When the quantity held by a single foot of soil is multiplied by 10, 20, 30, 40, or 50 feet, some conception can be formed of the enormous amount of water held in store in the earth.

These sands and gravelly formations are found in larger, or smaller areas in all parts of the country, and wherever they exist to a large extent, and reach below the water table, they are valuable sources of water supply or aids to other means at hand.

In using a driven well the question must always occur, how fast will water flow through the sand into the well? This question cannot be answered definitely by a formula of universal application. All soils differ so largely in their make up that a rule, or estimate, would not be true as applied to for one another. Water, however, has a rate to flow in loose earth varying from two to five inches in fifty feet, or from twenty five to forty feet in a mile. A careful study of the topography of the shed from which the supply is to be obtained, with tests to ascertain the stratification, should be made and carefully digested before assuming that an ample water supply can be derived from artesian wells.

Roads and Roadmaking.

IX.

Advantages of Good Roads.

Good roads are not only a benefit to the section of the country which they traverse but also in the towns serving as a market to those sections. They benefit agricultural districts in that they improve the facilities for transporting the farm products to the market, or lines of commerce, thus saving time in transporting and increasing the amount of burden carried by each load. In this manner they have a great influence on the price of commodities. The price of wheat is increased for a locality having improved transportation facilities. If it costs a farmer \$1.00 to haul 100 bushels of wheat one mile over a dirt road, and by macadamizing the cost can be reduced to 20 cents per mile, the price of wheat is raised accordingly; one mile saves 80 cents, ten miles saves \$8.00 per hundred bushels, or 8 cents per bushel, in the increase in price of each bushel, not considering the larger load that can be carried on a macadamized road. The price of wheat is thus permanently raised by improved facilities for transportation; the value of farm land is also relatively increased. The value of farms is increased by the improved facilities of transportation of their products in thus finding an earlier market. As the time

needed to reach the market is lessened, the farm is brought relatively nearer the town and its market. If improved roads make the journey an hour shorter the farm is, relatively speaking, brought an hour's journey nearer the market.

When farmers once see this road problem in its true light, they will not hesitate a moment to consent to higher taxes, if necessary to bring about the desired improvements. They have come to look upon the present condition of our public roads as a necessary inconvenience, one that it is not possible to remedy and must therefore be endured. They do not realize their loss in time and labor in hauling their farm products to the market. They do not seem to be aware that a horse can draw more than four times as much on macadamized and Telford roads as on ordinary dirt roads, in good condition, and that this is increased to more than ten times as much as when the dirt roads are in bad condition, which they are often, for more than half of each year.

Towns are benefited by improved roads in that they increase the scope of their market and therefore a larger area will bring in its products and take away its supplies.

The general public, whether travelling on foot, in carriage, or on horseback, or bicycle, would also be benefited by the great saving in time. Improved roads may detract slightly from railroad passenger traffic because pleasure parties and others might travel by other means more frequently than now if the roads were macadamized. This, however, would be a direct saving of money to them in most instances.

We must also consider the enlarged and improved educational advantages of good roads. They bring us into closer proximity to schools, to lectures and to churches. They facilitate the more general intercommunication in the rural districts. In the same manner the moral plane of the community is elevated and civilization extended.

Townships should have the power to borrow large sums of money by giving bonds running a series of years—say fifty years—wherewith to improve the principal roads. Should they do this the principal roads in the township could be macadamized at once, while the money raised by taxation at the present rates would be sufficient to keep the roads in repair, and pay at least part of the interest on the bonds. This would entail no extra burden on the taxpayers and they would have the advantages of good roads while the improvements are being paid for. The coming generations, in this manner, will also be obliged to assist in defraying the expense of improving the roads. This would not be unfair to them, because they will enjoy the same benefits, and should therefore assist in paying for them. A sinking fund should be started at once to eventually pay off the bonds. Many conservative

persons are adverse to this plan of going into debt to improve roads, but it seems from what we have said, especially with reference to the equal benefits to be derived from the improvements by posterity, and therefore their equal liability and the great immediate and permanent benefits from improved roads, that this plan is entirely proper, and we feel no hesitation in supporting its adoption.

If each township had the authority, if it desired to make use of it, to borrow \$50,000 in bonds, and the average cost of construction of macadam roads is \$2,500 per mile, then the \$50,000 raised on the bonds would be sufficient to construct twenty miles of road, but it is certain that the cost of twenty miles would be considerably less than \$50,000, and we feel safe in saying that twenty-five miles is the lowest average that would be obtained with proper management.

The province should give aid to the counties to maintain their public roads. Let the province appropriate \$1,000,000 to \$1,500,000 annually for ten years for the purpose of maintaining the public roads, which shall be apportioned among the different counties according to their ability to improve their public roads, and according to the value of such improvement to the province. This money should be applied each year in macadamizing an additional piece of road. This will soon lessen the cost of maintenance, on account of the decreased cost of maintaining macadamized roads.

The improved condition of the public roads would benefit the towns as well as the country districts, and they should therefore give assistance, and this can best be brought about by provincial aid to the counties. This aid should be in proportion to the wealth of the county. The poorer districts should receive the most aid if their improvements would benefit the province at large as well as those counties. It should be left to the provincial and county road engineers to decide how the province appropriation should be apportioned. In order to secure the best management of the public road system, each township should be constituted a road district, if large, or two small townships or several townships having but few internal improvements might constitute a district. Each township should have its board of commissioners, and each district should have its road engineer or supervisor appointed by the board. This board should have control of the funds and receive contracts for road construction. There should be a county supervisor in each county, and a provincial engineer or supervisor appointed in a similar manner to the county and provincial superintendents for school purposes. They should be specially trained civil engineers receiving suitable salaries. Their salaries would be saved every year in the better management of road affairs.

The township is the unit of the government under the present plan, and it seems to be the one which is the most likely to give general satisfaction, and should therefore be retained in casting the mode of road government.

Each township should have its board of commissioners, say of three members, serving gratuitously, like township school boards, and should have the same authority relatively as school boards have in their districts. They should be elected triennially, *i. e.*, one each year and should appoint a competent engineer as supervisor to carry out their plans. It is highly important that the supervisor of the road be a trained engineer. It is a business that cannot be grasped intuitively. This has been one of the main causes of the wretched condition of public roads. Supervisors should, therefore, be appointed by a board of commissioners and the elective system abolished, as a competent supervisor is more likely to be appointed by the board than if chosen by popular election.

The supervisor should see that the contracts for the construction and repairing of the roads entered into by the board are carried out in the best manner, or he may assume full control of the work himself, hiring the men and receiving their pay from the board the same as would a contractor. It is, however, preferable that they should be contracted for, as the best labor can thus be secured. Cities employ this system and hold the contractors responsible till the work has been accepted as fully satisfactory.

His salary should be in accordance with his position and the value of his services. If he is employed by more than one township he should draw a portion of his salary from each.

The county commissioners serve as a board in the control of the affairs of the county. They build the county bridges, and thus their duties will not be extended very much in giving them general control over the more important roads of the county. They should be elected, as at present, and should superintend the construction and maintenance of the county roads, through a county supervisor, or engineer, appointed by them.

This officer should be a thoroughly trained engineer, competent to give full information to the board on all points in road construction. He should make an annual report to the provincial engineer as to the condition of the roads and the cost and extent of the improvements made, and such other information as would be of general value or interest. He should determine, with the provincial engineer, the amount of provincial aid his county should receive, and should apportion it amongst the several districts by the advice and assistance of the township engineers. His compensation should be in accordance with his professional abilities and the value of his services.

There should be a provincial supervisor of roads, with one or more assistants, appointed by the Lieutenant-Governor, who shall have jurisdiction over inter-county road matters and be the head of the road department of the province. He should, with the county engineers, form a provincial association of road engineers, which would meet at least once each year and discuss the different aspects of the road question, and formulate new laws whenever required and present them to the provincial legislature for adoption. He should, with the county engineers, determine the amount of provincial aid which each county should receive, and in this he should be guided by the wealth of the county and the general value and importance of the improvements to be made.

The provincial engineer should make an annual report to the legislature, giving statistical information on the general condition of the roads of the province and the number and kind of improvements promulgated during the year. Such a report would be of incalculable value, both now and in the future. He should have made a provincial road map, showing the condition of the public roads leading from and to all principal towns. Such a map would be of great value to the road engineers, to the travelling public and to schools and colleges.

For convenience of administration, and to divide the work systematically, the public roads should be divided into three classes; first, those local roads in the townships connecting the principal roads, and which are, therefore, of secondary importance and of mainly local value, should be under the jurisdiction of the township boards and their road engineer, and should be laid out, constructed and maintained by them, chiefly by local taxation, and should be known as township roads; second, those roads leading from one town to another and traversing several townships, should be under the jurisdiction of the county boards and the county road engineers, and they should decide as to their location, width and nature of the improvements to be placed upon them. While the portions in each township are laid out, constructed and maintained by the township authorities, and the cost of construction and maintenance sustained by the township and county, according to the benefits derived by each, the township should not contribute more than half of the cost of maintenance of roads of the second class, and the county the remainder. These should be known as county roads. Third, those roads extending from one county into another, or through several counties, or from one province to another, or forming the boundaries of these, should be under the jurisdiction of the provincial engineer, and his assistants as far as location, width and nature of improvements are concerned, but they should be under the jurisdiction of the county and township authorities for

construction and maintenance the same as county roads. These should be known as provincial roads. The townships traversed should not pay more than one-fourth of the cost of maintenance of roads of the third class, and the remainder of the cost should be paid by the province and county.

This plan would give efficient administration of the public roads of the province and the burden and duty of one board cannot be shifted on to another. Roads of the third and second class should have a width of twelve to sixteen feet, and a depth of ten to fifteen inches of Macadam structures. Sixteen feet is wide enough for the paved part of most roads and twelve inches sufficient depth. The roads of the first class should have a width of eight to twelve feet and a depth of four to ten inches or more, according to the nature of the soil. The stone must be one and one-half-inch stone, and thoroughly rolled while wet, with several inches of screening, made in crushing the stone, placed on top and all well rolled to bind the layer below it, and above all, the bed of the road must have an elevation of at least four inches in the middle, gradually sloping towards the sides; this will give the finished road an arched appearance, while really the entire roadbed is arched, such a roadbed will be much finer than a level one.

Drainage.

Apportionment of Cost of Drainage Improvements.

(Continued from last month.)

While going over the lands of the district for the purpose of classifying it for assessments, I would want a map of the district on a large scale, with all the proposed ditches, and the wet lands, ponds, etc., located on it; also profiles of the ditches and also a book, properly ruled, in which the owners' names, a description of land, number of acres wet, number of acres pond, and other data that would change in any way the classification. Then, after making out these notes very fully, I would make out the classification in the office with the map before me, where all the facts could be easily grouped together.

A few cases will occur wherein it is so clear that the benefits are not in proportion to the cost that I would hesitate to follow the law in this respect. I will mention one. We may find that lands near the outlet of the ditch, while flat and wet, do not need a deep ditch for their drainage, as the lands above. Thus A, owning wet lands near the outlet of the ditch, would have those lands well drained by a ditch six feet deep, while the proper drainage of the lands above require a drain nine feet deep. Though A's benefit may be as great as B's, whose lands lie above, A should be taxed for only his proportion

of a ditch six feet deep, and his tax compared to B's would be in the proportion that the cost of constructing a six foot ditch bears to the cost of constructing a nine foot ditch.

In conclusion, I would only say that the problem, if it can be reduced to a problem, of "the just apportionment of the costs of drainage" though at first thought seemingly easy, is one that is modified by very many contingencies, and that after the engineer may have established a system of rules, which he thinks applies fairly to one district, he will find that in another district they do not apply, and that another and entirely different set of rules must be adopted.

The Country Roads Again.

(Woodstock Sentinel-Review.)

The leaven of common sense on the subject of roadmaking is beginning to work, and at least one municipality is taking practical steps in the direction of reform. A farmer's institute in the township of Blanchard took the initiative and the council has followed up its action by preparing a by-law for submission to the electors to do away with the statute labor system. This is well so far as it goes. As we have said so often, the statute labor system must go. But will the township of Blanchard adopt a system of roadmaking based on broad and liberal lines? Unless it does so the change proposed may be no reform. It is not enough to get rid of a bad system; it ought to be replaced by a good one, and no system can secure good roads at all seasons of the year unless it involves a liberal expenditure in the first place under qualified superintendence, and is entirely free from the influences of municipal tinkering and petty localism. The system must be designed for a district, and not for the divisions over which the pathmaster holds sway. If the municipalities would supply the money and place it in the hands of trained officials who are free, from petty local influences and above the suspicion of jobbery, they will soon have good roads. And when the roads have been made on scientific lines, which will insure permanence, repairs and improvements on them should be going on under competent supervision during six months, instead of one month, of the year. It is a pleasure to see even one municipality in the province moving in the right direction in this matter.

No Statute Labor on Township Roads in East Luther.

(Grand Valley Star.)

Now that most of the road contracts have been let here in East Luther the public is not backward in acknowledging that our council did right in abolishing the old system of statute labor. It is a fact that, notwithstanding the large

number of kickers we had here in the month of April when the scheme was introduced, to-day there is not to be found in East Luther a man possessed of common sense but acknowledges that twice the amount of work is being done. For the information of other townships that have not adopted the contract system, we give the average price of the various contracts: Graveling from 12c to 30c. per yard; grading both sides of road and levelling the same ready for gravel, from 6c. to 20c. per rod, and all other work in proportion. The overseers have only their duties to do, and see the work done as let, to make twice the improvements over other years. The wet places that have been passed over formerly are being graded and ditched this year. It is quite a common sight in other townships to see men and teams huddled together on top of some knoll, which is, perhaps, the best part of the road, attempting to put in statute labor.

The new roads, of which Union County, N. J., feels justly proud, are a combination of the Telford and Macadam systems, being begun by opening a trench twelve feet wide and eighteen inches deep. Large foundation stones are carefully laid at the bottom of this by experienced workmen, and upon these a layer of carefully crushed stone is placed, and mixed with enough earth to compact it closely when rolled, as it is, with a heavy roller. Upon this a layer of fine stone is placed, well rounded up, and rolled again until as firm as it can be made. The roads thus far resist the action of frost or the washing of rains, and are always dry, and it is expected that they will be easily kept in repair at but a small cost by occasional applications of the fine stone upon the surface.

* * *

The false economy of the average country road is well exemplified by a recent dispatch from Iowa, which says: "It would take a million dollars to even up the losses in trade to the merchants, shippers and farmers in Iowa on account of the fearful mud blockade which exists not only in Iowa, but all over the Mississippi Valley." Yet the people of Iowa would probably "kick" at the appropriation of a quarter of a million to improve the roads of the state, or at any organized attempt to improve them at the general public expense.

* * *

Many municipalities have passed by-laws authorizing the painting of telephone and telegraph poles to the height of twenty feet, and forbidding bills from being posted thereon.

* * *

No amendments were made to the Ditches and Watercourses Act at the last session of the legislature.

LEGAL DEPARTMENT.

H. F. JELL, SOLICITOR,
EDITOR.

Powers of Municipal Councils—How Exercised.

Want of care and consideration as to the manner in which municipal councils have exercised the powers vested in them, has been a very fruitful source of trouble both to municipal corporations and to persons dealing with them. The official act of a council is evidenced either by a resolution, or by-law, or by both. Its authority, and the mode of exercising it in any particular instance, is conferred and defined by the legislature, and before final action is taken a careful and intelligent perusal of the several statutes relating to the question in hand is necessary. A number of cases in point have recently come before our courts, which will bear comment, and to which we think the attention of our readers should be drawn. It might be well to premise that sec. 282 of the Municipal Act (consolidated) enacts that "the powers of the council shall be exercised by by-law, when not otherwise authorized or provided for."

Waterous vs. Palmerston is an important and very interesting case recently decided in the Ontario court of appeal. The facts were as follows: The plaintiff's action was brought on a contract alleged to have been entered into between them and the defendants for the purchase of a fire engine and hose by the latter from the former. The alleged contract was in writing, signed by the defendants' mayor and clerk, and the seal of the town had been affixed thereto. The town council had passed no by-law authorizing the purchase though the document, above mentioned, had been read over in council twice. The engine and hose were shipped to the defendants, subjected to tests, and the defendants refused to accept them. Sec. 480 of the Consolidated Municipal Act gives every municipal council power to purchase fire apparatus of any kind, and fire appliances and appurtenances belonging thereto, respectively, but it is silent as to the passing of a by-law for the purpose. As to section 630 of the Municipal Act, it was remarked that it did not apply, as its operation seemed confined to local improvements, and in any event it required the passing of a by-law, which was not done in this case. There seemed to be no question as to the power of the defendants to purchase the fire engine and hose, pursuant to sec. 480, and the sole question to be decided was as to whether the passing of a by-law by the defendant council was necessary in order to establish their liability.

It was held that since sec. 480 did not authorize municipal councils to exercise the power therein vested in them other-

wise than by by-law, the absence of a by-law was an insuperable obstacle to the plaintiffs' right to recover, and that the investment under the seal of the corporation, above referred to, was invalid.

It was pointed out in the case of *Pratt vs. City of Stratford*, that a by-law is necessary in every case (other than those expressly excepted) when it is not obligatory in the corporation to do the act, and that in every case where the matter is discretionary with the council, the municipal corporation cannot be bound except under a by-law of the council.

It will be observed that the alleged contract in this case was an executory contract, one to be performed, or carried into effect, by the parties thereto in the future. In this respect it differs from the case of *Beruard vs. North Dufferin*, which will be found in the May number of THE MUNICIPAL WORLD, on page 56. In the latter case the contract giving rise to the action was an executed one, the work had been performed, the corporation had accepted and enjoyed the benefit of it and were therefor held liable for the price.

In this connection we might refer to the case of *Banfield vs. County of Essex*. From a letter published in the *Amherstburg Echo*, written by Mr. Walter Cassels, Q. C., defendant's counsel at the trial, giving his reasons for advising a settlement of the case by the defendants and embodied in the printed report of the June session of the council of the said county, we gather that the plaintiff's action was for the recovery of some \$900 from the defendants for repairs, or additions, made by him to the registry office for said county. The contract sued on was not under seal nor approved of by a by-law of the corporation. By reason of this at the time of filing the defence in the action the plaintiff could not have recovered, but afterwards the supreme court at Ottawa rendered a decision, we presume in the case of *Bernard vs. North Dufferin*, above cited to the effect that where work had been performed and the corporation had received the benefit of it, they could not plead the absence of the seal or the by-law as an answer to the action.

Mr. Cassels therefore advised a settlement of the action, by the defendants, as in the light of the above decision, and of the evidence likely to be addressed at the trial, it was a very nice question whether the county would not be made liable on the basis of contract, and be bound to pay the whole of the plaintiffs' claim and his costs.

Mr. Cassels also states that, "in any" event, if the judge had held in our favor, that there was no contract, still the plaintiff would have been entitled to recover on a *quantum meruit*, that is, he, the plaintiff, would have been entitled to recover from the defendants a fair and reasonable sum for the work performed.

Legal Decisions.

IN THE MATTER OF ROBERTSON AND THE
MUNICIPAL COUNCIL OF NORTH
EASTHOPE.

This was an appeal from a judgment upon an application by four property owners assessed for the cost of certain drainage works refusing to quash the by-law of the council authorizing the construction of the works. The facts of the case appear to have been as follows: On the 11th October, 1886, a petition was presented to the township council, by certain land-owners, pursuant to 46 Vic., Ch. 18, Sec. 570 (Sec. 569 Con. Mun. Act 1892) praying that the steps and proceedings mentioned in the Consolidated Municipal Act, 1883, and amendments thereto, might be taken for the purpose of deepening and straightening a certain creek running through a portion of the township. Accordingly an engineer was directed by the council to make the necessary plans and assessments and in his report he added to the lots mentioned in the petition, other lots as being benefited by, and liable to contribute to the cost of the proposed works, and omitted some of the lots mentioned in the petition. On or about the 27th April, 1887, a by-law for the construction of the works was provisionally passed, appeals were taken by some of the land owners to the court of revision, and from it to the county judge against their assessments and the by-law was finally passed.

It appeared by reference to the last revised assessment roll that the owners of the property to be benefited numbered fifty-nine. The petition was signed by thirty-one persons, it was admitted that three of these persons were not entitled to sign, and the council received the petition as one signed by twenty-eight persons only, and then directed the engineer to make the surveys. Some changes were made by the engineer, though in the result there was still not a majority in favor of the petition. It was held that a petition of the kind, and for the purpose in question, must include a majority of all the persons found by the engineer to be benefited by the proposed works, and not merely a majority of the persons mentioned in the petition itself as being benefited. Unless the petition is signed by such majority the council have no jurisdiction, and a by-law founded on a petition not properly signed is void and cannot be upheld though valid on its face.

If the petition is not signed by such majority the opponents of the by-law are not restricted to the manner of objecting given by secs. 291 and 292 Con. Mun. Act, 1892, but are entitled to attack the validity of the by-law on this ground by application to quash the same even after an unsuccessful appeal to the council.

Where a council know that a majority have not signed, though no evidence to

prove this fact is given by the opponents of the by-law, it is just as much their duty not to pass the by-law as if its insufficiency had been proved after the most careful investigation at the instance of persons opposed to it, and they have no right to impose upon the opponents of the by-law as a term for refusing to pass it, any conditions as to payment of expenses theretofore incurred.

THE CORPORATION OF THE CITY OF
BRANTFORD VS. THE ONTARIO
INVESTMENT COMPANY.

The defendants carried on their business at London, and were assessed there. They purchased the mortgages and other assets as the Brant Loan and Savings Company, a similar institution doing business in Brantford. The latter company then ceased to do business, and the defendants let the mortgages and assets, which had been transferred to them, with an agent in Brantford for collection, but they had no branch office, and did not carry on the business there. The plaintiff assessed them for personal property in Brantford, from which the defendants did not appeal, to the court of revision, and the plaintiff brought an action to recover the amount of the assessment.

It was held that the defendants were assessable in London for the property which the plaintiffs had undertaken to tax, and that, having no branch office in Brantford, and as they were not carrying on business there, the plaintiff's assessment therein was illegal and void. That there being no jurisdiction to assess them in Brantford, the defendants were not bound to appeal to the court of revision and might question the assessment in the action.

STEELE VS. YORK.

The macadamized toll road known as Yonge street, forming a provincial public work, was in 1855 by act of the legislature and order in council vested in and acquired by the county of York. One of the conditions of the sale was that the road should be kept in thorough repair by the county. The roadway intended for and used by persons travelling on the same was a macadamized road of the width of thirty feet, and was not in any way out of repair, and was at the place where an accident occurred exactly as it was when transferred by the government to the county. The plaintiff when turning out of a side road in order to reach a hotel which stood near the side of Yonge street drove along part of the original allowance for road on which the toll road was constructed, but which had never been opened for travel by the defendants, and was used merely as an approach to the hotel. In doing so, the plaintiff missed the way leading to the hotel, ran against some obstruction, and was, with his buggy,

thrown down a cutting, or embankment, into the toll road and was injured.

It was held that there was no evidence of negligence and that the defendants were not liable. The plaintiff had not been invited to use the travelled way to the hotel as part of the toll road, and the accident had not happened on any part of the toll road, or in consequence of that road being out of repair.

TALTON VS. C. P. R. CO.

Judgment on appeal by the plaintiff from the judgment of Street, J., the trial judge, dismissing the action, which was brought by a land-owner for damages for injury to his land, owing to the diversion of a water-course by the line of railway constructed by the Toronto, Grey, and Bruce railway company, and now worked by the defendants, and for a mandamus to compel the defendants to reopen the original channel of the water-course. The lot in question, being the west half of lot 3 in the 9th concession of the township of Amaranth, was owned by the late Chas. Robertson, of Toronto, until the spring of 1876, when he conveyed it to the plaintiff. Street, J., held that the Toronto, Grey, and Bruce railway company had made to Mr. Robertson full compensation for the injury for which this action was brought, and the plaintiff was therefore not entitled to recover, being in the position of one who had contracted to buy damaged land. The court held that the plaintiff was entitled to recover legal damages in respect of the diversion, assessed at a nominal sum. As the defendants have now the power to divert a stream or water-course by R. S. O., ch. 29, sec. 99 (b.) the court holds that it should not, after the time that has elapsed since this diversion was made, direct a mandatory injunction to issue compelling the restoration of the stream so diverted, when the plaintiff can be compensated in damages for the injury caused to him by such diversion. Reference directed to the master at Orangeville to ascertain the compensation that ought to be made to the plaintiff by the defendants for this diversion, or, if the defendants prefer it, proceedings stayed for two months in order to enable them to proceed by arbitration. The defendants to pay the costs of this action and of the reference, if any, but if it goes to arbitration, the costs thereof will be as directed by the Railway Act.

JACKSON VS. MURPHY.

At the last sitting of the division court held at Smith's Falls, a case came before the judge which is of considerable public interest. Mr. Harry Jackson, a C. P. R. engineer, brought suit against John Murphy, jr., for the value of a dog which Murphy had killed, and which belonged to Jackson. The evidence went to show that while out with Mr. Jackson's little son and another boy the dog gave chase

to some sheep in the defendant's field. The boys called it off, but a second time it returned to the pursuit of the sheep, when it was seen by Murphy. He jumped on a horse and started after it, when the dog left the sheep and got out of the field on to the railway track, where the boys were, before Murphy could come up. He succeeded in getting hold of it and there and then cut its throat so that it died. That was the evidence, and Mr. Jackson swore that the dog was worth sixty dollars. The judge reserved his decision, but yesterday he rendered his verdict. He finds in short that a dog may be killed by the owner of the sheep which it may be chasing or worrying only while it is in hot pursuit of the same, and not after it ceases to pursue them, even though, as in this case, it was frightened from the chase by the owner of the sheep who continued to follow it without stopping until he had caught and killed it. Judgment in the action was given against Mr. Murphy in \$25 for the dog and \$6.70 costs.—*Rideau Record.*

Tramps.

Among the social problems of the day, and growing into prominence, is the question of dealing with the vagrant population, comprised mostly of able-bodied men and commonly called "tramps," who go about the country living upon the industry of others. At present, they can only be dealt with by legal authority, and as this means expense to tax-payers and a lot of time and trouble to magistrates who are in no wise remunerated therefore, it strikes us the legislature should give the province municipal legislation, empowering councils to pass by-laws to compel tramps to do a certain amount of work upon the public highways, or in breaking stone for repairs, and thus make them pay tribute to the public that clothes and feeds them. We have no doubt an ordinance of this character would materially lessen the lazy vagrancy extant, and check the tramp nuisance. It is no sin or crime to be poor, but it is both in the case of those able to walk, who go about listlessly from place to place, and live upon the public.

Oxford county court house, situated in the town of Woodstock, is about completed. It is a magnificent building. The furnishings will be of the most modern description and will cost about \$8,000. The Review says: The furnishings of the court room will be on an elaborate scale. The amphitheatre for the convenience of the public, will contain about 250 opera chairs, with all modern attachments, while from fifty to sixty similar chairs will be placed in the council chambers. Inside the rail, however, the councillors will each be supplied with a desk and tilting chair. In the vaults are to be placed a section of metallic fittings, roller shelving and document files, the balance to be wooden fittings.

QUESTION DRAWER.

SUBSCRIBERS only are entitled to opinions through the paper on all questions submitted if they pertain to municipal matters. Write each question on a separate paper on one side only.

J. L. W.—The July number of THE WORLD to hand, which I am always glad to receive, as it contains a vast amount of valuable information, particularly to municipal officers. It is well worth all it costs to any municipal officer. I see a question asked by Dexter, which is as follows: A farmer owns a farm in a township, which he rents to a tenant, and he lives on a rented farm in another part of the township; is it right that his son should not be assessed as a farmer's son as he is living on a rented farm? You gave as your opinion that the son could not be assessed under the circumstances. You will pardon me if I should offer an opinion on the matter. Sub-section 5, of section 79 of the Consolidated Municipal Act, reads as follows: A farm shall mean land actually occupied by the owner and not less in quantity than twenty acres. It also reads that the son or sons of a farmer shall mean any male person or persons not otherwise qualified to vote and being the son or sons of an owner and actual occupant of a farm. The last clause of the sub-section also reads thus: Any lease holder, the term of whose lease is not less than five years, shall be deemed an owner within the meaning of this section. Would it not therefore be legal and right to assess a farmer's son living on a rented farm of at least twenty acres and whose lease was not less than five years.

We have received several communications in reference to the entry of tenant farmers' sons on the voters' list. In the July number, in answer to a question, we said a tenant farmer's son assessed as such should be placed in part 3 of the voters' list. This may have been misleading, as according to section 5, of section 79, of the Consolidated Municipal Act, 1892, a lease-holder, whose term of lease is not less than five years, shall be deemed an owner within the meaning of this section. We considered that the tenant referred to in the question asked did not come within this section, which is so plain that no one could mistake its meaning.

CLERK—I fail to comprehend your meaning in answer to the first question in question drawer of July, 1892. Allow me to state, the collector returns his roll to the treasurer and makes oath as to all the uncollected taxes. The treasurer accepts the same and debits himself accordingly. This closes the account between the two officials.

The question then arises, by what authority shall the treasurer credit himself with the amount contained in said statement (the statutes being silent) he not being the party authorized to collect the same. It might be answered with a degree of reason that his receipt from the county treasurer would be sufficient. I answer that is not in all cases, as it frequently occurs that the county treasurer rejects certain items in said statement as being uncollectable. Therefore, in my humble opinion, the treasurer is obliged to demand and to receive an order to the amount of said debit from the council, whose servant he is, and to whom he must render an account.

The treasurer should debit or charge the collector with total amount of roll and credit him with payments made. The collector should also be credited with any amounts the council, by resolution, instructs him not to collect, and in final settlement the treasurer should credit him with amounts remaining unpaid, and for which the collector under oath states he was not, upon diligent enquiry,

able to discover sufficient goods, etc., where in he could levy the same. This closes the collector's account. See sections 135 and 136, Consolidated Assessment Act, 1892. The treasurer is only required to debit or charge himself with the cash payments made to him by the collector. In charging the collector with amount of roll and crediting him with amounts he is unable to collect as above mentioned, entries giving full information should be made in the treasurer's journal and carried to the ledger account, viz.:

COLLECTOR, DR., to MUNICIPALITY, CR.

To amount collector's roll,

(giving items)

MUNICIPALITY, DR., to COLLECTOR, CR.

To amount instructed by council not to collect, etc.

If taxes are properly entered in the collector's roll and when not paid are returned to the county treasurer as provided in section 145, of Con. Assessment Act, 1892, the county treasurer is required by section 152 of said act to enter all the lands on which it appears from the returns made to him by the clerk or from the collector's roll and the amounts so due? Under section 155, the county treasurer may correct clerical errors but from a careful examination of the Act, we think the county treasurer has no authority to reject items as being uncollectable. If such are found he should report them to the council of the local municipality, and, on certificate from the clerk, may make corrections, as provided in section 155.

CLERK—1. What form of certificate should a clerk put in the collector's roll after he has completed it?

2. Should he attach the corporate seal in addition to his own signature?

1. I, _____, clerk of the municipality of _____, hereby certify the foregoing to be a correct recapitulation of the within collector's roll of the said municipality for the year 189____, and further that I have, this _____ day of _____, A. D. 189____, delivered the said collector's roll into the hands of _____, the duly appointed collector of the said municipality for the said year 189____.

Dated at _____, in the said municipality, this _____ day of _____, A. D. 189____.

{L.S.} Clerk of the municipality of _____ of _____.

2. The clerk should sign the certificate and affix the seal of the municipality thereto.

NEMO—I would like to know if a municipal treasurer, by virtue of his office, is authorized to administer an oath to a collector when he returns his roll, also if such an oath should be made in the form of an affidavit? Please give form.

Yes. The oaths mentioned in sections 132 and 136, of the Consolidated Assessment Act, 1892. The following may be used as a form of oath, under section 132:

I, _____, of the _____ of _____, in the county of _____, collector for the municipality of the _____ of _____, in said county for the year 189____, make oath and say:

That the date of the demand of payment and transmission of statement and demand of taxes required by sections 123 and 125, of the Consolidated Assessment Act, 1892, in each case, has been truly stated by me in the collector's roll for the said municipality for the said year 1892.

Sworn before me at the _____ of _____ in the county of _____ this _____ day of _____ A. D. 189____.

Treasurer, municipality of _____.

And the form of oath used, under section 136, may be as follows:

I, _____, of the _____ of _____, in the county of _____, collector for the municipality of the _____ of _____ in said county for the year 189____, make oath and say:

That the sums mentioned in the above account remain unpaid, and that I have not, upon diligent inquiry, been able to discover sufficient goods or chattles belonging to or in possession of the persons charged with, or liable to pay such sums, or on the premises belonging to, or in the possession of any occupant thereof, whereon I could levy the same or any part thereof.

Sworn before me at the _____ of _____, in the county of _____ of _____, this _____ day of _____, A. D. 1890.

Treasurer, municipality of _____.

We would suggest that the collector's return for the county treasurer be made in triplicate instead of in duplicate, as required by section 135. That the collector make the affidavit, required by section 136, in the form given above, entered on the return or on a separate paper attached to same. That one copy thereof be sent to the county treasurer, as required by section 145 of the Assessment Act; one copy to the clerk of the municipality, and that the original be retained by the treasurer as his authority for crediting the collector.

UXBRIDGE—1. Has a mayor jurisdiction as a magistrate outside of his corporation.

2. We have a road about 300 feet long constructed across a mill pond inside our corporation. Do you think the county responsible for the repair etc., of this roadway and bridge. The bridge is about fourteen ft in length, the roadway is built of cedar logs and filled in with earth, it runs across the centre of the pond. The road is a concession line.

1. By section 415, Consolidated Municipal Act, 1892, it is enacted that the head of every council (which includes the mayor of a town), shall, ex-officio, be a justice of the peace for the whole county or union of counties in which the municipality lies. But the mayor is entitled to act as such justice of the peace only

where there is no police magistrate, or in the absence or illness or at the request of the police magistrate. See section 415 of the Municipal Act (consolidated), and following sections. Mr. Harrison's note (c), to section 416, and revised dates (1887), chapter 72, sections 6, 13 and 20.

2. We do not think the county is responsible for the repair on the roadway and bridge. We assume they have not been assumed by the county council with the assent of the town council, as mentioned in section 532, Consolidated Municipal Act, 1892. See section 530 and following sections of the Consolidated Municipal Act.

CLERK—The man appointed as path-master is taken sick before he filed his declaration and is unable to act. Before the clerk is notified the council adjourned to 5th Sept. Two members of the council direct another man to take the list. He does so, but the rate-payers in the division refuse to work under his direction; they also refuse to pay him the money for their work. The time for the return of statute labor lists is the 15th. August, what authority has the clerk to place the statute labor on the collector's roll? Or is there any way for appointing a path-master without a new by-law amending the by-law first passed?

We do not see what authority the clerk has to place this statute labor on the collector's roll. Section 101 of the Consolidated Assessment Act, 1892, enacts that "Where a resident owner, tenant or occupant, who has been entered upon the assessment roll, after notice or demand, makes default in performing his statute labor on the payment of commutation for the same, the overseer of the highways, in whose division he is placed, shall return him as a defaulter to the clerk of the municipality before the fifteenth day of August, and the clerk shall in that case enter the commutation for statute labor against his name in the collectors' roll, and the same shall be collected by the collector." There appears in the case referred to, to be no overseer of highways or path-master to give the notice or make the demand for the performance of statute labor, or to make the return to the clerk mentioned in sec. 101. The appointment of a new path-master by the two members of the council was informal and inefficient, a by-law should have been passed by the council, either at a regular or a special meeting duly called for the purpose, amending the original by-law by substituting therein the name of a new path-master in the division for the one appointed by the original by-law.

E. G.—1. There is a crossing over a ditch between the road and a farmer's residence. The rain washes away the soil from under the foundation of the crossing, and the latter collapses. Is the township required to put said crossing in repair?

2. The council passes a by-law, dividing a school section into two sections, the by-law does not take effect till the 25th of December next. How can these sections raise money to run these schools next year, without borrowing, seeing that the time for putting on the rates is long past?

(1). No. In note (p) to sec. 531 of

the Municipal Act Mr. Harrison says: "that it is not a duty (of a corporation) to plank from each man's house across a ditch to a street, and keep such planks in repair." (See page 489 of Harrison's Manual, edition 1889.) In the case of McCarty vs. Oshawa cited in said note (p), chief justice Robinson in delivering judgment says:—"The public crossing of bridges over the ditch at the intersection of streets is all that the corporations of cities towns, and villages do in fact provide. This is all so far as we have observed, that the inhabitants of towns expect they should provide, and we do not see that the duty could reasonably be extended further. The action was for damages caused by the plaintiff falling off a plank which he had placed across the ditch in front of his own place. In conclusion the learned chief justice said: "We should be making a decision which should take all municipalities both in town and country by surprise, if we held that the defendants were chargeable with the accident, which the plaintiff in this case unfortunately met with.

(2). The sections will have to borrow such sums of money as they may require for school purposes, pending receipts next year, over and above the amount in the hands of the trustees on the 25th of December next, being the balance of the current year's levy or otherwise; the last mentioned amount should be divided between the two new sections by agreement, or in default of an agreement, by arbitration as provided in sec. 83, of the Public Schools Act, 1891.

J. B.—In your August number, T. U. asks a question respecting the liability of councils to pay for sheep destroyed by dogs after abolishing dog tax. Your answer refers to sec. 2, chap. 62, Ontario Statutes 1890, and to sec. 7, chap. 214, R. S. O. Would your answer be the same had you referred to section 8, chap. 214 R. S. O., and sec. 8, chap. 62, Ontario statutes, 1890, as to a council's liability whether the tax on dogs is taken off or kept on? Please answer in next number.

Sec. 8, of chap. 214, R. S. O. 1887, as amended by sec. 8, chap. 62, Ontario statutes, 1890, makes no provision as to the taking off of dog tax, but authorizes the passing of a by-law by a council dispensing with the application thereof. This section provides that thereafter (i. e., after the passing of the above mentioned by-law) during the continuance of such by-law, the sections of this act numbered 6, 7 and 15 to 21 inclusive, shall have no force or effect in any of the municipalities within the jurisdictions of such council. It would therefore seem that after the passing of the by-law, mentioned in said sec. 8, the portion of the amount collected for dog tax, which at the time of the passing of the by-law, had been applied to the general purposes of the municipality would no longer be available for the purpose mentioned in sec. 7, as the said sec. 7 would then have no force or effect in the municipality.

T. C. P. The assessor in making the assessment roll has placed the statute labor giving the number of days, particularly, according to a by-law passed by the municipal council and according to section No. 100, (2). The by-law enacts that every person assessed for \$2,000 has six days of statute labor to perform, and one additional day for every \$500; and section 100 (2), of the Assessment Act enacts that, "Whenever one person is assessed for lots or parts of several lots in one municipality, not exceeding two hundred acres, the said part or parts shall be rated and charged for statute labor as if the same were one lot, and the statute labor shall be rated and charged against any excess of said parts in like manner." To illustrate, so to have my question better understood I give the following ex: One resident ratepayer has 1,250 acres of land and is assessed for \$18,000 and has forty nine days statute labor to perform, while if it was not divided into blocks of 200 acres (as there are seventeen lots or parts of lots) this person would have only thirty eight days of statute labor to perform.

(A) Now shall this person be charged for thirty eight to forty nine days of statute labor?

(B) Could the same rule be applied to residents as well as non-residents?

(C) If one lot in the municipality is composed of more than 200 acres, and only one person assessed for it, should it be divided so to increase the number of days of statute labor (to which I say No)?

(A) Forty-nine days.

(B) Yes.

(C) Yes. The same rule applies to this case as to the former.

A new idea in reference to cattle running at large was brought to our notice in reading the proceedings of a meeting of the West Oxford council at which a by-law was passed, imposing a tax of \$1.00 on milch cows, heifers and steers under two years, found running on the roads of the township, to take effect on the first of August. A by-law appointing an inspector to enforce this regulation was also passed.

(Continued from page 108).

Clerks' Salaries.

To the Editor of the MUNICIPAL WORLD:

DEAR SIR,—I notice with pleasure that the agitation regarding clerks' salaries, holds a prominent place in your valuable journal. I think that if the county clerk in each county in Ontario would call a meeting of all the township clerks in the different municipalities of each county, and for to then fully discuss the matter of better remuneration and fix their basis of payment or salary according to the number of names on roll, and when the provincial parliament meets, try and get an act passed to have the salaries of clerks fixed in accordance with the schedule agreed upon, but, if it was considered advisable for deputation, from the different counties to meet, say in Toronto during the present autumn, or before Parliament meets, I think it would be well to do so and agree upon a general schedule of prices according to number of names on roll and then have same presented at the first meeting of parliament, I think that for the first 400 names, 50 cents each would not be too much, and any over that, 25 cents each plus these few suggestions may be some use. I remain,

TOWNSHIP CLERK.

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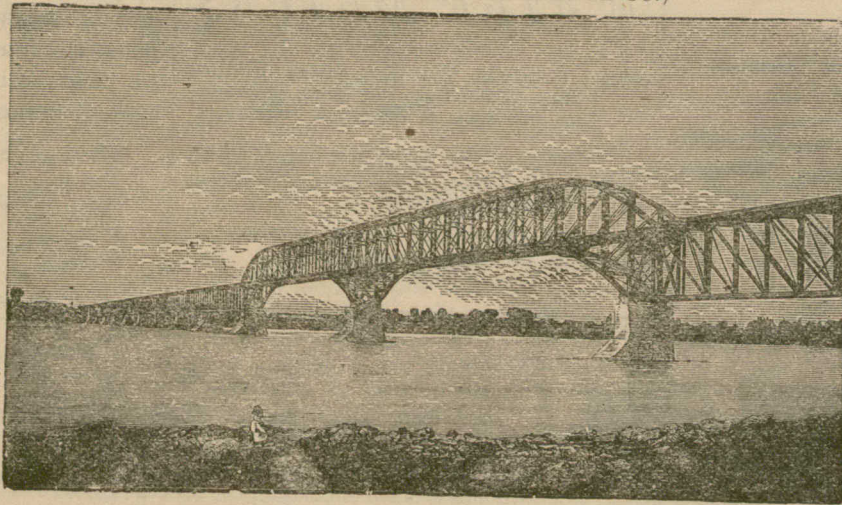
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ST. LAWRENCE RIVER BRIDGE, CANADIAN PACIFIC RAILWAY, LACHINE, P. Q.

For Railways and Highways,
Iron Bridges, Turntables
Iron Piers and Trestles,
Bridge Rods
Right and Left Hand Sleeve Nuts
and all kinds of
Structural Iron Work.

The cost of Metal Bridges, for a term of years, is less than the cost of building repairing and replacing wooden bridges, and believing the only reason so many bridges are still built of wood to be that those who are charged with the duty of contracting for them are not aware how little difference there really is in the first cost of a good Iron or Steel Bridge and a well-built wooden one, of equal strength, we are at all times pleased for an opportunity to quote prices to officers of counties, cities and townships, so that they may intelligently compare the cost of metal and wooden bridges. To enable us to name prices closely we need information on the following points: Number of spans and length of each span. Width of roadway and number and width of footways and sidewalks. Kind of Lumber to be used for floor joists and plank and its value. Name of nearest R. R. Station and distance of bridge site from station. Depth of water at ordinary level and height of floor above water. Also strength and capacity of bridge required, if any particular strength has been determined on; or a general statement as to the nature of travel over the bridge; whether on a country road, a well-ballasted turnpike, or located in a village or city, and subject to heavy loads.

WORKS: LACHINE P.Q. OFFICE: Room No. 4, Windsor Hotel, MONTEAL, P.Q.

Address Inquiries in Response to this Advertisement, to

DOMINION BRIDGE COMPANY, LTD., Montreal, Que.

Municipal Debentures Wanted.

I am desirous of purchasing any and all

**Debentures of Towns, Villages, Townships
- - and Counties - -**

As they are issued (no matter for what purpose), and will pay the very highest prices for them. MUNICIPAL OFFICERS will kindly bear this in mind and write me, sending particulars and copy of By-laws, &c., at any time they are issuing debentures for sale. I have money to loan on first mortgage at very lowest rates of interest.

GEO. A. STIMSON.

9 Toronto Street, Toronto