

The Municipal World

PUBLISHED MONTHLY IN THE INTERESTS OF

THE MUNICIPAL INSTITUTIONS OF ONTARIO



Vol. 9. No. 4.

ST. THOMAS, ONTARIO, APRIL, 1899.

Whole No. 100

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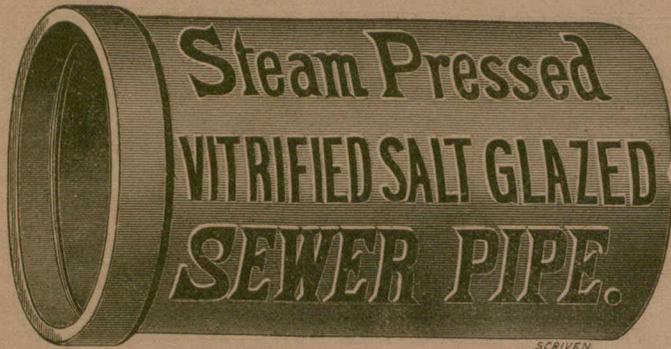
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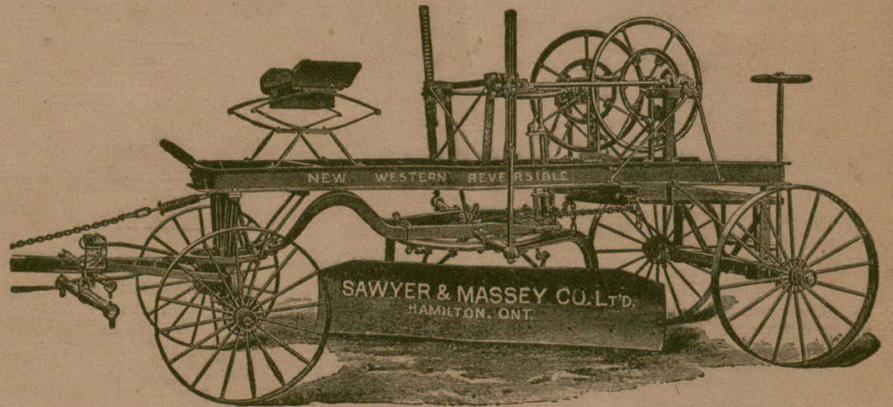
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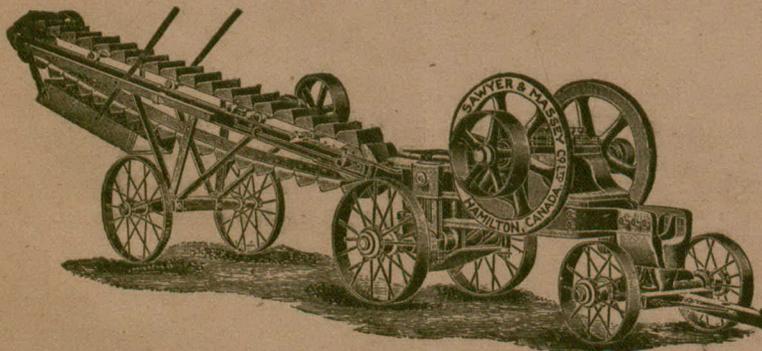
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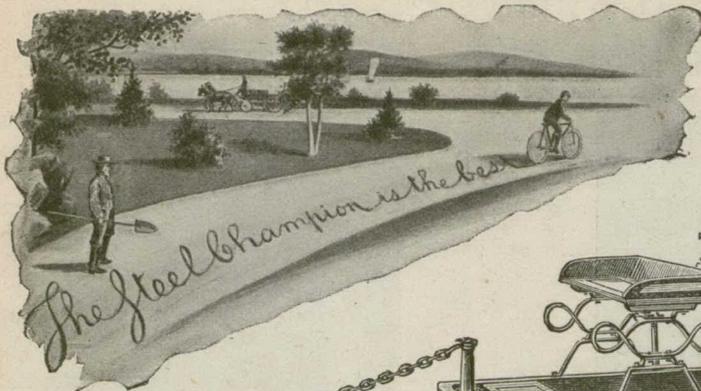
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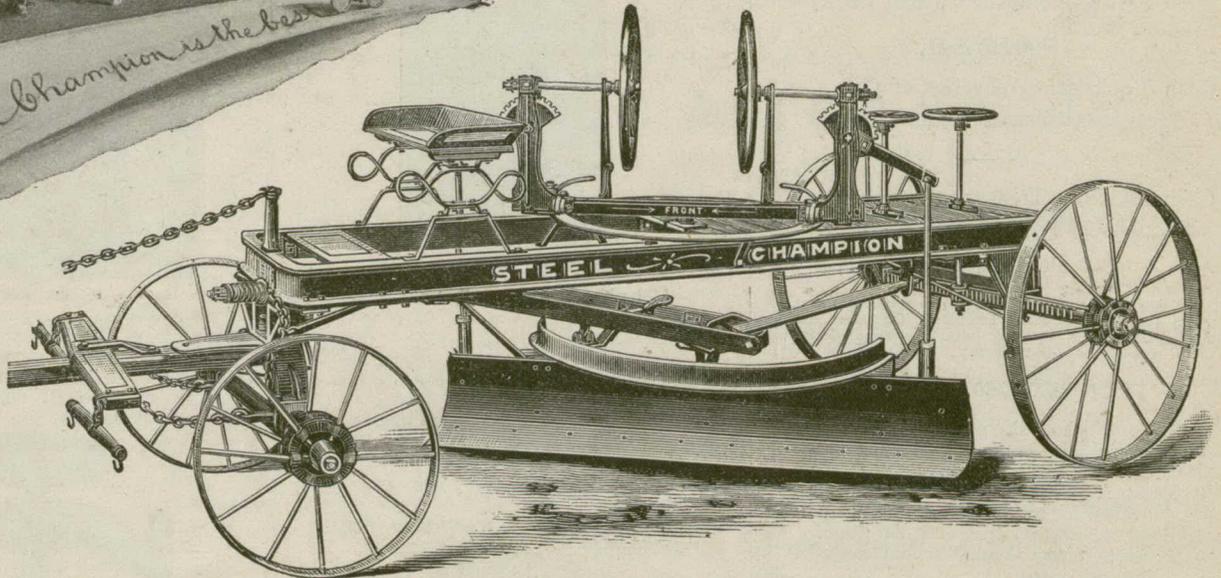
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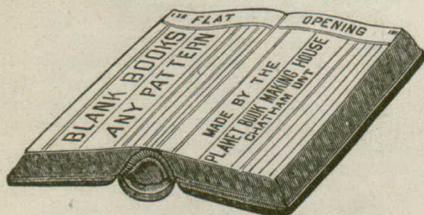
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6. Trustees' notice special school meet-
ing, per dozen 20
7. Directions how to conduct school
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lect to educate child, per dozen . . . 20
12. Secretaries' notice of truant children
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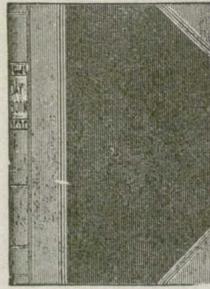
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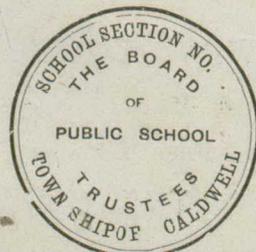


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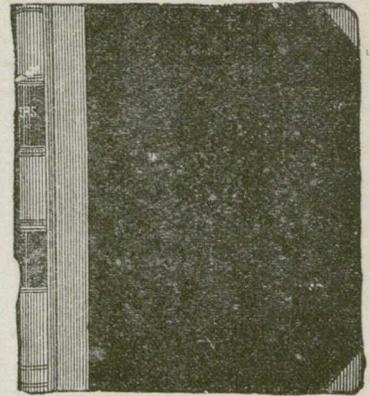
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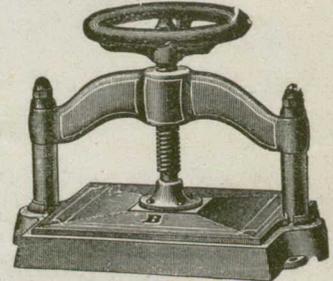


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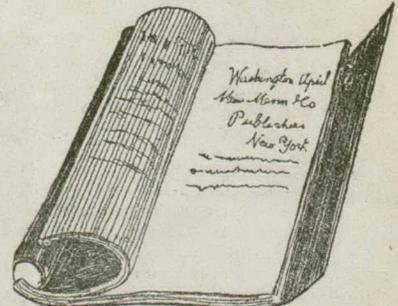
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THE MUNICIPAL WORLD

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

Vol. 9. No. 4.

ST. THOMAS, ONTARIO, APRIL, 1899.

Whole No. 100.

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Calendar for April and May, 1899.

Legal, Educational, Municipal and Other Appointments.

APRIL

1. Clerks of counties, cities and towns, separated from counties, to make return of population to Educational Department.—Public School Act, section 69.
Last day for Free Library Board to report estimates to the council.—Public Libraries Act, section 12.
Last day for petitions and applications for Tavern and Shop Licenses to be presented.—Liquor License Act, sections 11 and 31.
Last day for removal of Snow Fences erected by councils of townships, cities, towns or villages.—Snow Fences Act, section 3.
From this date no person compelled to remain on market to sell after 9 a.m.—Municipal Act, section 579 (6).
Last day for Boards of Park Management to report their estimates to the council.—Public Parks Act, section 17.
5. Make returns of death by contagious diseases registered during March.
7. Last day for Treasurers of Local Municipalities to furnish County Treasurers with statement of all unpaid taxes and school rates.—Assessment Act, section 157.
8. Last day for Collector to return to Treasurer the names of persons in arrears for water rates in Municipalities.—Municipal Waterworks Act, section 22.
10. High Schools open (third term).—High School Act, section 42, Public and Separate Schools open after Easter Holidays.—Public Schools Act, section 91.—Separate Schools Act, section 81 (3).
15. Reports on Night Schools, due to Education Department (session 1898-9).
20. Last day for non-resident land holders to give notice to clerk of ownership of lands to avoid assessment as lands of non-residents.—Assessment Act, section 3.
25. Last day for clerk to make up and deliver to the assessor, list of persons requiring their names to be entered in the roll.—Assessment Act, section 3.
29. Last day for completion of roll by assessor.
Last day for non-residents to complain of assessment to proper Municipal Council.—Assessment Act, section 86.
Last day for License Commissioners to pass regulations, etc.—Liquor License Act, section 4.

MAY

1. Last day for treasurers to furnish Bureau of Industries, on form furnished by Department, statistics regarding finances of their municipalities.—Municipal Act, section 293. County Treasurers to complete and balance their books, charging lands with arrears of taxes.—Assessment Act, section 164.
5. Arbor Day.

NOTICE.

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STATUTE LABOR FORMS.

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

STATUTE LABOR LIST No. 2—(Half foolscap, very neat) for eighteen names, with extract from Noxious Weeds Act, duties of Pathmaster and special in-

structions by the Provincial Instructor in Roadmaking.

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

Pathmasters to council—Certificates of gravel drawn.....

Pathmasters notice re noxious weeds.....

The Municipal World

PUBLISHED MONTHLY

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

K. W. McKAY, EDITOR,

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

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

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

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

Address all communications to

THE MUNICIPAL WORLD,

Box 1252, St. Thomas, Ont.

ST. THOMAS, APRIL 1, 1899.

The Welland county council has passed a by-law to provide for the appointment of auditors of the treasurer's accounts in the month of December in the present and subsequent years.

When treasurers are appointed or new bonds accepted, the old bonds should be retained. Unless this is done municipalities may suffer loss for irregularities that occurred during the term of the old bond.

The report of the Oxford House of Industry for 1898 shows that 111 inmates were cared for during the year, and that 74 were in the institution on the first of January. The net cost of maintenance was \$4,541.04, making the cost per week per inmate \$1.32.

A large number of intricate municipal questions have been considered by the Legislature—and some interesting amendments will no doubt result. In the next issue we expect to publish the changes in the Municipal Act in full with explanations.

The publication of the assessor's valuations in a town or city is most desirable—it enables the ratepayers generally to detect omissions and inequalities, which should be brought to the attention of the court of revision. It is a good advertisement for a newspaper to take the matter up and publish the information free of charge.

The Guelph township council at their January session, without in any way reflecting on the present treasurer, and having regard to certain rumors concerning the treasurer's books, requested a special audit. On the 18th of March the auditor's report was received, showing that the

books were correct and well kept, and that in Mr. McCorkindale the township has an able and trustworthy clerk and treasurer. The council, in considering the report, passed a resolution congratulating the treasurer on the very satisfactory result of the audit.

By-laws for the alteration of school section boundaries are required to be passed not later than the first day of June in each year, and they do not take effect before the 25th day of December next thereafter. All persons to be effected by proposed alterations have to be duly notified before the council can take action.

All appeals against the assessor's work should be in the hands of the clerk within fourteen days after the first day of May or after the roll has been returned by the assessor. If at the court of revision it is found that there are other errors and complaints that should be corrected, concerning which no appeals have been made in time, the court may adjourn and appoint another day for the purpose of hearing these appeals. In the meantime the proper notices have to be given as required by the Assessment Act.

His Honor, Judge Carman, of Cornwall, has given a verdict in a very peculiar case—that of J. Miller against the town of Cornwall and the Cornwall Electric Street Railway Company. This was an action for \$200 damages sustained by the plaintiff falling off his wagon and striking his head on a rail. It was held that the accident was due to the rails of the street railway track being higher than the roadway. His Honor gave a verdict for \$100, holding both parties liable. The suit was brought against the town, which had the Street Railway Company added as defendants.

Municipal and county councils should observe the provisions of the Municipal Act when borrowing money for current expenditure. We notice that one county council by by-law, authorized the warden and treasurer to negotiate any loans necessary for the use of the county during the year. This is not according to section 435 of the Municipal Act, which requires the council by by-law to regulate the amounts to be borrowed, and define the notes to be given therefor. Attention to details of this character will sometimes save the expense of a special session of the council, unless the warden and treasurer are willing to give their personal note for the money required.

All collectors' rolls not already returned, should be closed early in April. In townships the returns of taxes unpaid have to be made to the county treasurer, and unless he has time to enter these returns on his books before the first day of May he has no authority for charging the 10 per cent. which should be added to all

arrears or taxes on that day. Councils have no authority for extending their collector's time and should insist upon the return of the roll. In many municipalities where rolls are not returned, councils are already paying interest on money borrowed to carry on their business, when a prompt collection of taxes would place them in a position to get along without borrowing money for some months. If, in addition to the interest, they lose the 10 per cent. properly chargeable upon the arrears by the county treasurer, they will be in a position to estimate how much they should pay a good collector to collect their taxes promptly as contemplated by our municipal laws.

A Deputy-Returning Officers Costly Error.

Hastings v. Summerfeldt.—Judgment in action by Edward Hastings, a farmer in the township of Markam, against Abner Summerfeldt, who was deputy-returning officer, at polling sub-division No. 6, township of Markham, in the east riding of York, at the provincial election held on the first of March, 1898, to recover a penalty of \$400 for the refusal of the defendant to give the plaintiff a new ballot in place of one which he spoiled. Plaintiff spoiled his ballot by marking it for the wrong candidate, and the defendant deposited it in the box and counted it for the candidate for whom it was marked, notwithstanding the plaintiff's request for a new one. Held, that the defendant was liable to plaintiff for three breaches of his duty as a deputy-returning officer: (1) For disclosing the manner in which plaintiff had marked his ballot paper; (2) for not cancelling the ballot paper which had been inadvertently dealt with, and (3) for having, after he ought to have been satisfied of the fact of the inadvertence, refused to deliver another ballot paper to plaintiff, whereby he compelled plaintiff to vote for the candidate whom he wished to oppose, and these breaches the defendant committed "wilfully," within the meaning of the authorities. Judgment for plaintiff for \$400 and costs. Thirty days stay. Ritchie, Q. C., and John Greer for plaintiff, Higgins for defendant.

The Mayor and the Mother.

Some scoffer, provoked by the parental nature of curfew legislation in Kokoma, Indiana, proposed the following clause with the unexpected result that it was accepted in earnest and passed into law: "It is further provided that when a child comes home at the prescribed hour and finds its mother not present to hear its prayers and put it to bed, it shall report such dereliction to the mayor of the city, whose duty it shall be to search for the absent mother until found, and if it should be shown that the mother was not on an errand of necessity or mercy, it shall be the duty of the mayor to administer a reprimand to said mother."

Municipal Officers of Ontario.

Clerk Townships of Dalhousie and North Sherbrooke.

Mr. Geddes was born in the township of Palmerston in 1897, and moved with



MR. W. GEDDES.

his family near McDonald's Corners in Dalhousie in 1871. He graduated from the Kingston business college in 1892, and in 1893 was appointed clerk of Dalhousie and North Sherbrooke. In addition to his municipal offices Mr. Geddes is engaged with his brother in the grist and saw-mill business.



MR. S. DUCHARME.

Clerk Township of Rochester.

Mr. Ducharme was born in Quebec in 1866, and when 8 years of age he moved

with his father to Belle River. He received his education in the public school and was for a short time engaged in teaching, after which he spent four years in the west, returning in 1887, when he again engaged in teaching. In 1894 he was elected councillor and in 1895 was appointed clerk. Mr. Ducharme is a well-to-do farmer, and has a fair knowledge of municipal government and takes an active interest in the welfare of the community in which he lives.

Clerk Town of Wallaceburg.

Mr. Johnson was born in the town of Wallaceburg in 1845, and was educated in the public school. In 1867 he graduated from the British-American Commercial College, Toronto. Returning to Wallaceburg he entered the post-office as deputy-postmaster. Upon the establishment of



MR. H. E. JOHNSON.

the Dominion Telegraph Line he was appointed agent, and held the position until the amalgamation with the Great North-Western line. He was first appointed auditor of the village in 1875, and held the office until his appointment as clerk in 1883, which office he still holds.

Clerk Village of Bridgeburg.

Mr. Emrick, was born in 1849, in the township of Bertie. He was educated in the public schools and until 1879 was engaged in farming. He then engaged in business for some years, and in 1891 was appointed postmaster. Mr. Emrick is an active society man, and has held the highest offices in the orders with which he is connected. He took an active interest in municipal affairs for some years, and

his appointment as clerk of Bridgeburg on its incorporation was well merited.

Clerk Township of Mersea.

Mr. Hairsine was born in the township of Mersea, on the farm he now occupies, in 1852. His father, Thomas Hairsine, was a pioneer of Essex county. In 1883 Mr. Hairsine entered municipal



MR. H. EMRICK.

politics, and was elected to the township council. The next year he was a successful candidate for the deputy-reeveship, and filled the office for three years following, being returned each year by acclamation. In 1888 he occupied the reeve's chair, and



MR. A. HAIRSINE.

continued therein until 1894, when he resigned to accept the clerkship. Last year he was elected warden.

The Bureau of Industries.

By C. C. JAMES, Secretary of the Ontario Bureau of Industries.

THE CLERK'S RETURNS.

The clerk is the secretary of the municipal council, including in his work the duties of both recorder and correspondent. In his office should be kept all records, and to him reference should be made for information upon almost every phase of municipal work. He is the official, therefore, to whom most of the requests of this Bureau are directed, and he not infrequently thinks that the requests are too numerous and too exacting. This opinion is emphasized by the fact that these requests are not accompanied by any promise to pay. He sometimes expresses himself pretty freely and unreservedly in regard to the matter, thinking that the government that exacts work should pay for it. The legislature, however, requires certain information to be given, and the Bureau of Industries is simply carrying out the orders of the legislature in asking for these returns. It is to be presumed that the reason why the legislature makes no provision for paying for such information being given is that it is considered that the collecting and publication of such information is in the interests of the municipalities rather than of the government or legislature, and that the officials should be paid by the municipalities that receive the benefit. Proper recompense for making these and other returns, therefore, should be provided for by the municipal councils. In fixing salaries and allowances municipal councils should consider these duties, and here, as elsewhere, adequate payment should be aimed at. No one appreciates the value of the services of municipal officers more than do the officials of this Bureau, and we would be very pleased to see councils making proper provision for payment of salaries. Sometimes officials apply for position at very low salaries without fully informing themselves as to the many duties laid upon them by legislative enactment.

The returns required to be made by clerks to this Bureau, are the following:

(1) A list of the council and the officials for the current year. This is to be sent in, on forms provided, immediately after the opening session in January.

(2) Certain statistics taken from the assessment rolls and collection rolls. One difficulty that is frequently met with is that clerks state that at the time information as to taxes is asked, the collector's roll is in the hands of the collector, the collection is not yet complete, or the time has been extended. This would be obviated if the clerk would make an entry in his books of the totals of the taxes imposed before handing out the rolls. It seems to us that even if a return to this Bureau were not requested that such a statement should be found on the record books of the clerk.

(3) Copies of all money by-laws passed.

If these were all on record in this Bureau, for reference in checking over auditors' and treasurers' returns, much correspondence would be avoided and the work materially lightened.

Section 285 of the R. S. O. reads as follows: "The clerk of every municipality shall, in each year, within one week after the final revision of the assessment roll, under a penalty of \$20, in case of default, make a return to the secretary of the Bureau of Industries, Toronto, on schedules or forms furnished by the said secretary, and approved by the Lieutenant-Governor-in-Council, of such statistics or information as the assessment roll or other records of his office afford, and as such schedules or forms call for; and every such return shall be transmitted by mail in a registered package."

(4) Copies of the printed Voters' Lists. It should be noted here that the Voters' Lists of townships, towns and villages must now contain a column specifying the occupation of the voter. This gives increased value to Voters' Lists, and the many uses that they serve in this improved form need not be referred to here.

(5) Section 427 requires every council to transmit to the Department of Agriculture on or before 31st day of January, an account of the several debts of the corporation as they stood on the 31st day of December preceeding." Then follows the items to be specified. The clerk, being the secretary of the council, is the officer to transmit this statement. The council should instruct the proper officers to prepare the statement.

TREASURER'S RETURNS.

Section 293 of the Municipal Act requires every municipal treasurer to send to the Bureau "such information or statistics regarding the finances or accounts of the municipality as such schedules or forms call for, and every such return shall be transmitted by mail in a registered package. The schedule sent out provides for a statement of receipts and expenditures and also of assets and liabilities. These statements are arranged under heads or classes, as near as possible in the form in which they are afterwards published, hence it is very important that treasurers be careful that all items are arranged under their proper heads. Duplicate forms are furnished, so that the treasurer may retain a copy for reference. These returns are compared with the auditors' statements sent in earlier in the year, and there should be, of course, no discrepancies. The liabilities statement should include the total liabilities and not simply those falling due during the ensuing year.

It will be seen that the bureau has some half-dozen statistical returns upon which to base a report, and all are required. Delay in sending in one may retard the compilation, and non-agreement of one with another causes increasing labor and vexatious delay. When the fact is appreciated that several thousand returns

have to be obtained and examined, and the figures taken off and checked, it will be understood why there is some delay in presenting to the public the printed municipal reports of this bureau.

The report of municipal statistics for the year 1897, is still in preparation. Some may wonder why it has not yet gone to press although we are now at the end of the third month of 1899. The main reason why this report has not yet appeared is because all the material has not been available. Some, in fact many, officials are prompt and courteous; others, however, are very dilatory, and form after form, and circular after circular, and letter after letter must be sent by mail, and even the telegraph service called to our assistance—still there are some lacking, and despite all our efforts the following returns are still in default:

Debenture statements for 1897,	3.
Treasurers' " " "	8.
Auditors' " " "	11.

The work of the Bureau of Industries, it will be seen, is not exactly a sinecure. We are doing our best to publish promptly, accurate and serviceable reports. We appeal to municipal officers to help us.

A Statute Labor System.

The following resolution of the township council of Keppel may offer suggestions to other councils interested in improving the statute labor system:

That immediately after the appointment of pathmasters and upon a receipt of their declarations of office and a report upon the roads, bridges and culverts in their respective divisions, two commissioners be appointed jointly to make a tour of inspection in any part of the township to which they may be directed by the council, and together with the pathmasters (if advisable) inspect the roads, bridges and culverts in the several road divisions, and report to the council at their next meeting the state of roads, bridges and culverts in each road division they have so inspected and recommend the expenditure of any monies which in their opinion is necessary upon any road for gravel, ditching or grading, or upon any culvert. The council shall then decide under whose supervision the money shall be expended if the money so granted is to be expended by any other than one of the commissioners recommending it. The clerk shall notify such other person, who when the work is completed, is to report the same to the council who shall then order the work to be inspected and if found satisfactory by one of the commissioners, pass the work and recommend payment thereof.

Method.

"No," said Senator Sorghum, with emphasis, "I can't talk for publication today."

"But, senator, in all the years of our acquaintance this is the first time you ever declined to let me quote you."

"I don't want you to quote me. I want you to say I decline to be interviewed. This is confidential. I've concluded it's time for me to act as if I'd got to be so important that I dasn't talk for fear of giving something big away."—*Washington Star*.

ENGINEERING DEPARTMENT.

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

Artificial Stone Walks.

All the cities of Ontario, nearly all the towns and most of the villages of Western Ontario, and many in Eastern Ontario now use artificial stone (cement concrete) sidewalks. In some of the smaller towns, such as Ingersoll, Simcoe, Tilsonburg, Aylmer, Ridgeway, nearly all the sidewalks have been relaid with this material, and most of it has been down for five or six years. Collingwood, Owen Sound, Kincardine, Walkerton, Listowel, Mt. Forest, Fergus, Guelph, Barrie, Stratford, St. Mary's, Woodstock, Strathroy, Chatham, Norwich, Galt, Berlin, St. Catharines, St. Thomas, Niagara Falls, Drummondville, Brockville, Cornwall and Kemptville, have all laid large quantities during the past year.

This is the most satisfactory material for this class of pavement, is durable, and within reasonable cost, and when sidewalks are once constructed of it, this important and expensive piece of municipal work, which at present demands such a large annual outlay, for reconstruction and repairs, will be got rid of for a term of years. This material for sidewalks is beyond the experimental stage, and wherever care is taken in laying, good results will be assured.

The following clauses from a specification for laying these walks indicate the method of performing the work. They are what may be termed the "specific" portions of a specification, the remaining requirements being of a more general nature, having reference mainly to the business relations between the corporation and the contractor.

The corporation shall remove the old plank, stone, brick, and other sidewalk from the street before the construction of the new walk shall be commenced by the contractor, all such material being the property of the town, to be disposed of as the engineer may direct.

All excavated earth, stones, posts, stumps and other obstacles or rubbish shall be removed by the contractor to such point or points as the town engineer may direct; or if not hauled for a distance not exceeding one-half mile, such removal to be without extra charge.

The walk should be laid to the lines and levels given by the engineer. No stakes or bench works placed for this purpose by the engineer shall be moved or affected by the contractor without the permission of the engineer so to do.

The space over which the walk is to be laid shall be excavated to a depth of twelve inches below the elevation of the finished walk in accordance with the pavement profile, which may be seen at the office of the engineer. Perishable or objectionable material shall be removed to a further depth, to secure a firm foundation if so required by the engineer.

Such excavation in excess of twelve inches shall be filled with gravel, or other material approved by the engineer, and the bottom of the sub-grade thus obtained shall be then made thoroughly firm and solid by pounding or rolling. For all excavation or filling ordered by the engineer in excess of twelve inches below the grade of the finished walk, the contractor shall be entitled to the sum of 35 cents per cubic yard.

A porous tile-drain shall be laid centrally beneath the walk, to the depth, grade, of such diameter and carried to such outlets as are specified upon the plan and profile on file at the office of the engineer; and tile drains for carrying surface and other water through or under the walk shall be laid as indicated upon the aforesaid plan and profile. All tile used shall be of the best quality of clay, manufactured expressly for drainage purposes, in lengths not less than one foot, and of uniform diameter throughout. All earth excavated in the laying of these drains shall be returned to the trench, being thoroughly rammed and pounded in layers not exceeding one foot in thickness, and rendered perfectly firm and solid, to the satisfaction of the engineer. Should sewer-pipe be required in place of farm tile, such pipe shall be furnished to the contractor by the engineer, and shall be laid in all respects to the satisfaction of the engineer.

Upon the sub-grade thus excavated, drained and consolidated shall be spread a layer of clean gravel or broken stone to be thoroughly wetted, rolled or pounded, and brought to an even surface. The layer of gravel or stone so placed shall have a thickness of seven inches; and shall be uniformly not less than five inches below the elevation of the surface of finished walk having reference thereto.

Upon the foundation thus prepared, a layer of concrete shall be laid in the following manner: It shall be composed of one part by measure of fresh cement, of a quality approved by the engineer, and in accordance with the specifications for such elsewhere described herein; three parts by measure of clean sharp sand, and five parts by measure of broken stone of such a size as will pass through a two inch ring. The concrete shall be mixed in a water-tight box placed close to the work, by first spreading evenly a layer of sand, upon this shall be evenly spread the proportionate quantity of cement and the two thoroughly mixed while dry. To this water shall be added and the whole thoroughly mixed and brought to the consistency of mortar. The proportionate amount of stone shall then be spread evenly over this mortar and thoroughly intermixed therewith. The concrete when mixed as aforesaid, shall be immediately put in place and thoroughly pounded until it has an even surface, is perfectly and uniformly solid, and is four inches in depth over the foundation and within one inch of the finished surface of the walk. Slab or flag divisions shall then be mark-

ed off, from sixteen feet in area, the joints to be filled with clean sand or other approved separating material.

Before the aforesaid layer of concrete has set, and while it is still adhesive, there shall be laid upon it a wearing surface of one inch in thickness. It shall be composed of one part by measure of Portland Cement, and two parts by measure of clean sharp sand. The cement and sand shall be mixed dry, water then added to moisten sufficiently, the whole again thoroughly manipulated and mixed in a water-tight box or floor and immediately put in place. The layer shall then be thoroughly pounded, and worked to a true and even surface. Over this shall be sifted a layer of Portland Cement, and the whole to be neatly levelled to a perfectly smooth surface, and rolled with a tooth roller to make a surface that will not be slippery. This surface layer shall be cut into sections, the joints to correspond exactly with those of the first described layer of concrete, the edges of the walk to be rounded, and the whole finished in a neat and workmanlike manner.

Before any concrete is placed in the walk, temporary curbs, of 2x6 pine, with edges dressed so as to be perfectly straight, shall be firmly and accurately placed along the outer edge of the walk, to be removed after the walk has hardened, these curbs to be furnished by, and remain the property of the contractor. When the curb is removed, the vacant space must be filled with good soil, and any sodding disturbed in so doing must be carefully restored.

The total thickness of the walk including foundation layer, concrete layer, and the wearing surface, shall be uniform throughout, and shall have a slope towards the roadway of $\frac{1}{4}$ inch to the foot unless otherwise required by the engineer.

All cement used in the work must be of some well and favorably known brand, and shall be approved by the engineer. It shall be delivered in barrels or equally tight receptacles, and must be protected from the weather by storing in a tight building or by suitable covering, the packages to be placed on boards or flooring raised above the ground. All cement rejected by the engineer shall be conspicuously marked "Condemned", and shall be immediately removed from the site of the work, and should any cement so rejected be thereafter used in the walk, such sections as may be required by the engineer, shall be immediately torn up by the contractor, and replaced with cement of proper quality, without extra compensation. The supply of cement must be so gauged that a sufficient quantity will be kept on hand to allow ample time for the testing and examination by the engineer, without delay to the work of construction; the cement to conform to the following tests, and such others as the engineer may require.

(a) At least 90% shall pass through a standard sieve, having 10,000 holes to the square inch.

(b) Pats made of neat cement, with thin edges, on pieces of glass, covered with a damp cloth, and allowed to set in air, then placed in boiling water for 48 hours, must not show expanding cracks, distortion, nor curling of the thin edges.

(c) Samples of cement should be made into the consistency of a stiff mortar, then pressed firmly into moulds, and covered with a damp cloth, allowed to set in air 24 hours, in water three and seven days. When in water three days, six samples shall show an average tensile strength of 300 lbs. per square inch; when in water seven days, six samples shall show an average tensile strength of 450 lbs. per square inch.

(d) The stone and sand shall at all times be subject to the approval of the engineer, the sand to be clean, sharp and silicious.

At street crossings, lanes and private dwellings, the walk shall be so rounded, placed, and at such an elevation as to give a convenient passage for vehicles, to the satisfaction of the engineer. The surface layer of concrete shall be $1\frac{1}{2}$ inches thick, composed of equal parts by measure of cement and sand, and marked into diamond-shaped blocks by lines crossing the walk diagonally, four inches apart. The edges shall be rounded, and faced to the bottom of the concrete, with the cement mortar used for surfacing the walk. At all street crossings, and elsewhere if so desired by the engineer, the edges of the walk shall be protected by a curbing of 4x6 cedar, placed in a permanent and durable manner, flush with the surface of the walk.

The contractor, in doing the work, shall excavate or fill in around trees in a careful manner so as not to injure the said trees; and all gratings, areas, tree-spaces or other interruptions to the walk shall be regarded as continuous in the payment of the walk. The repairing or building up of area, walls or other supports for gratings shall be performed by and the material supplied by the contractor, as the engineer shall direct.

The concrete shall not be laid in wet or freezing weather.

Care must at all times be taken to prevent injury to watercocks, stopcock-boxes, down pipes, door sills, steps, areas, gratings, or other appliances which may be under, project into, or pass through the walk, and the pavement shall be carefully and neatly filled around such appliances. When required by the engineer, all gratings or covers furnished the contractor shall be properly fitted into and conform to the surface of the walk.

Two equally good farms, not far apart, in Pennsylvania, were recently sold. The one on a macadam road brought ninety dollars an acre and the one on a mud road but sixty.

The sprinkling-cart is a daily necessity if macadam roads are to be maintained at their best

Design of Iron Bridges.

The design of iron or steel bridges commonly erected may be classified under: The plain beam or girder, the beam truss, the suspension truss, and the bowstring or arch truss. The first of these is well understood; the second comprises those trusses in which both bottom and top chords are essential; the third includes those in which the upper chord only is necessary, in which the horizontal tie takes the place of fixed abutments. The style chosen should be governed by circumstances and economy; but apart from this any design is good as long as it can be accurately analyzed as to the character and amount of strain on all its parts. On the other hand, any design which cannot be so analyzed should not for a moment receive consideration.

The course pursued by some, indeed most municipalities, in erecting iron bridges is likely, however, to result disastrously and throw iron and steel into disrepute. A council advertises for tenders. The companies responding supply their own plans and specifications. Thus far the procedure is entirely satisfactory. The difficulty arises when the council accepts the lowest tender without obtaining the advice of an experienced builder of iron bridges as to the plans and specifications submitted. Cases have occurred in which a difference of five dollars has influenced a council to accept a tender for a bridge which manifestly, to a man of experience, was worth less than the other by several hundred dollars, and which was, indeed, unsafe, offering every likelihood of failure, with attendant loss of life and great expense for reconstruction. It is difficult to understand the action of the councillors, shrewd in other matters, in the construction of bridges and other public works, proceeding with such apparent disregard for the true interests of those whom they represent. A small sum spent in securing reliable advice is as much a matter of economy in public as in private affairs.

The economy of iron and steel bridges for replacing wooden structures is a matter in which definite statistics are not available. The steel superstructure should last half a century, while the masonry, piers and abutments, with first class material and workmanship and careful attention to repairs, should be good for at least twice that period. The life of a wooden bridge may be placed at fifteen years, and during that period expensive repairs will be required. If the cost of the iron and masonry bridge is twice that of a wooden structure there is still a wide margin for profit. The price of concrete, masonry and steel is constantly decreasing, that of timber is becoming greater while the quality available is degenerating; and it is not difficult to foretell that, in future, culverts and bridges will necessarily be built of permanent and durable materials.

The Location of Bridges and Culverts.

Considerable attention is generally paid to the selection of a good site for a bridge, and an effort is made to decide in the interest of economy, usually with a considerable measure of success. There is, however, a tendency to cling to the line of original survey, rather than deviate the road slightly, when by doing so, much would be gained in lessening the dimensions of the bridge, securing firm foundations for piers and abutments, reducing the cuts and fills of the approaches of the bridge, all of which, while they may not decrease materially the first cost, very frequently are of the utmost consequence with regard to maintenance, and may decide for good or bad, the usefulness of the entire roadway. The utility of a road with respect to hauling heavy loads, is not governed so much by the condition of the best section as by the worst; not so much by the level portion as by the steepest grade. Bridges forming as they do a means of crossing valleys, are intimately associated with the problem of judiciously choosing between directness of route easy gradients, and details of construction.

The location of culverts is a matter of common error. Water should be disposed of in small quantities, along natural watercourses, before it gathers force and headway. Instead of this principle being followed, water is frequently carried long distances by the roadside, past watercourse after watercourse, rather than build a culvert or culverts to carry it away without injury to the road. Where culverts are needed, they should pass directly across the road and carry the water away from it.

The size of bridge or size of culvert involves nice discrimination, in which local circumstances and the class of construction introduce various factors. For the size of waterway, no hard and fast rule can be given. Many existing culverts and bridges were at one time of sufficient size, but the clearing, draining and cultivation of the land now permits the water after a rainfall to reach the watercourse in a shorter time with increased volume, causing submerged roadway and flooded roadsides, while culverts and bridges are swept away. The best guide to a proper course for a waterway is an intimate acquaintance with the locality, with respect to maximum rainfall, height of water line, previous experience with floods, form and inclination of the stream and area to be drained, kind and condition of the soil, and similar details, or the evidence of others who are.

Waterways should be neither needlessly large, nor of two small dimensions, involving on the one hand unnecessary expense for the first construction, and on the other hand, injury to the road, wash-outs, expensive repairs, and delay to traffic.

Soldiers in the Italian army are allowed two hours in the middle of the day for a nap.

Arch Culverts of Stone and Concrete.

There is no departure which would enrich the highways more than the general use of stone and concrete for the construction of bridges and culverts. They cost more in the first instance, but the longer life, the fewer repairs needed, the greater convenience, the lesser liability to accident, render them in every way desirable.

Concrete and stone are the only materials with which work of a really permanent nature can be constructed. Bridges and culverts of rubble masonry have existed in Scotland and Ireland with scarcely any repairs for more than a century, since before the time of Telford and Macadam. Concrete bridges and roadbeds built by the Romans nearly 2,000 years ago are still in use in spite of efforts to destroy them in military operations. The cost of this class of work is constantly decreasing through the cheapening and improving of cement, through the lessened expense of procuring stone and crushing it, and through growing experience in the use of cement. In Scotland it is common for farmers to contract for rubble concrete bridges, provide the stone and hire masons to do the work. In this way the entire expenditure is kept in the locality, among the people who pay the taxes, and is, therefore, in spite of a slightly greater cost, not unpopular. Up to forty foot spans, this construction is not difficult.

In the construction of a stone arch the first consideration is the foundation. The depth to which the excavation must be made will depend chiefly upon the span of the arch and the nature of the natural soil on which it will rest. The chief object is that it shall be secure. If bed-rock comes to the surface it may be safe to rest the base of the arch upon it without any further excavation. A firm, hard pan may exist a short distance below the surface of the ground. But a quicksand or other insecure footing may necessitate the sinking of piles, or the placing of a wide, and perhaps deep, concrete base. But the foundation must be sufficient to provide that the washing of the water cannot undermine it, that the lateral thrust of the embankments cannot move it, nor the weight of loads cannot cause it to sink. No more definite rule can safely be given than to make the most of local circumstances, with always a fair margin for safety.

Full centre arches, that is entire semi-circles, are easily formed, possess great strength, and have little lateral thrust; but with wide spans, they necessarily rise to a correspondingly great height, and cannot always be employed. A segmental or flat arch will lessen the rise, but has a considerable lateral thrust which necessitates very strong abutments. A compound arch, made up of a number of different circles when rightly proportioned, combines the advantages of the two, reducing the height, and at the same time having an excellent appearance. The

thickness of the arch and abutments depends on a number of details, the chief of which are: the form and size of the arch, the quality of the material composing it, and the character of the workmanship. The haunches or shoulders should be built from the spring or the arch half way to the top.

With regard to the masonry, first-class hydraulic cement should be used. The arch stones should be full-bedded in cement, and each course afterwards thoroughly grouted. Each stone should be cleaned and dampened before being placed in the arch. Improperly dressed stones should be re-cut, as no hammering should be allowed after the stones are set. The ring-stones should be dressed into a wedge shape, so that they will radiate truly from the centre of the circle, and should be so dressed that the joints need not exceed three-eighths of an inch in width. The ring-stone should be of such thickness as to expose ten inches on the inside or face of the arch. The exterior of the arch should be flushed with a one inch coat of cement, and the surface then smoothed off.

Arch-culverts and bridges of cement-concrete can be more cheaply constructed than can masonry arches and, if careful workmanship is employed, are quite as serviceable. They are formed by constructing a curbing and thoroughly ramming the concrete into it in successive layers. The manner of mixing the concrete depends on the character of the cement used; some being slow setting, others quick setting; some will set well in water, while others will not; some will allow a considerable proportion of water to be used in forming the mortar, while other cements should be but slightly moistened.

One feature in connection with concrete culvert work is that, with the curbing and centres in place, an intelligent workman can, by following the instructions of the engineer, lay the concrete. Manufacturers complain that masons, in the great majority of cases, entirely disregard the instructions given them with respect to the mixing of cement, and follow their own methods of mixing common mortar, while a man totally unaccustomed to work of this description will obey instructions carefully and minutely. Concrete cannot be mixed and put in place like common mortar, and by overlooking this fact, much concrete work has failed, and has brought the material into disrepute in some localities.

Permanent Culverts and Bridges.

The majority of Canadians, when visiting Europe, are impressed with the durability and solidity which characterizes the structures of that country. Private residences are built to withstand the wear of centuries. Cathedrals, public halls, libraries, and similar institutions are constructed not only for the present, but for future generations. Among the works

marked for this durability are to be classed the public highways with all that pertains to them. Canada, in this regard, presents a very unfortunate contrast.

It can be justly argued that Canada is a very young country and that England is a very old country; that Canada is not a wealthy country and that England is a very wealthy country. While England is, in a way, a very old country, yet it is not so much older than this country in the arts of civilization, which should teach our citizens and municipal councils the necessity for and the means of wisely spending money in permanent improvements. And while England is a richer country than Canada, the greater degree of wealth has been brought about, to some extent, by the very durability we have so long avoided. Permanent improvements are the cheapest. Structures which need props and repairs within a year or two after they are built, seem to be in a chronic state of starvation with a ravenous appetite for money. Canadians have not yet entirely outgrown the idea that they live in a pioneer land where the needs of the present entirely overwhelm the future.

In nothing is this temporary building more apparent than in our highways, and in no detail of our highways is it more striking than in the matter of bridges and culverts. At the same time there is no portion of the making of a road that offers more scope to the road-maker than in providing substantial and permanent waterways. Instead of the handsome stone and concrete arches that span so many of the streams intersecting the highways of England, there are to day in this country scores of wooden boxes and trusses—flimsy, disjointed, unsafe; the constant source of accident, and the bottomless pit into which councils are annually throwing money in a vain endeavor to keep them in repair.

Petroleum Oil for Roads.

A good deal of prominence has been given of late in the public press to the use of crude petroleum in the improvement of earth roads. The idea is an entirely new one, brought forward by an American engineer who had noticed the effect on the road, of a leaky oil pipe. Where the leak occurred, the ground became saturated to some extent, with the result that the mud dried up, the earth became hard and remained so.

He obtained a tank of crude oil from the Standard Oil Company, with which to experiment, and the results are claimed by him to be in a great measure satisfactory. So far as he has carried on experiments, a barrel of crude oil is sufficient for a road 100 feet long and 12 feet wide, the cost of oil at the wells being about 90 cents a barrel.

There can be no doubt that crude oil applied to roads will be of some benefit. Oil and water will not mix, and when absorbed into the dry surface of a road, will form a waterproof coating. It is

further to be observed that petroleum is very closely related to asphalt, from which certain favorable inferences may be drawn.

Nevertheless we are safe in believing that, with this treatment, there would be the greatest need for underdraining the roads. It would be useless to form a hard crust over the roads if, underneath that crust, the ground would remain soft and wet. A crust formed by the use of oil could have no real supporting strength, and it is almost a certainty that it would, under even exceptionally favorable circumstances, with good drainage, break down under traffic during spring and fall. Alternate conditions of frost, rain and slush would certainly be very trying to such a road.

It may be that, in certain localities where stone or gravel is scarce, and traffic light, crude petroleum oil would be of some benefit. But we have had no experience with it as yet in such a climate as that of Ontario, nor have its lasting qualities yet been determined under any circumstances.

Paving Town Streets.

All kinds of pavement are good when laid in the right way and in the right place. It is folly to condemn without proviso, any class of pavement; for however defective it may be found under one set of circumstances, under other circumstances it is altogether probable that it would be the most economical and serviceable that could be used. For instance, cedar block is commonly looked upon as an entire failure for paving purposes. Cedar block has failed in a great many instances on account of the weak and undrained foundation on which it was placed. It has failed in other instances on account of the poor material used. In other cases it has failed by reason of a damp and unfavorable climate. It has failed frequently because of the excessive traffic to which it was subjected. While the writer would scarcely advise the use of cedar block to any great extent in Ontario, yet it is easy to conceive of a dry climate, a loose, porous sub soil and other facilities for securing a good foundation, an abundance of choice material close at hand, all of which would possibly go far to render cedar block the most desirable paving material in that locality.

One is sometimes asked for an expression of opinion regarding the relative merits of brick and asphalt, irrespective of the traffic, the climate and other matters affecting their durability. The only reply which one could give to such a question is that both are good; or to look at it from another standpoint, both are bad. Brick pavement appears to be the ideal pavement for the business streets of towns and smaller cities. The cost is from one third to one-half less than asphalt, can be laid or repaired without skilled labor, is sanitary, is not objectionably noisy, does not decay readily in a moist climate, and will support a considerable weight of traffic

Asphalt is suitable for a business thoroughfare where a slightly stronger pavement than brick is needed to support a somewhat heavier and more constant traffic. The destruction of asphalt arises more from atmospheric effects than from wear, a certain amount of traffic being beneficial rather than detrimental. It is suitable, too, for a residential street on which there is too much travel to permit the laying of a macadam pavement, and where a more costly effect is desired.

Macadam is pre-eminently the favorite pavement of horsemen, and properly built and maintained, is considered by many as superior in appearance to asphalt. In hot weather it is scarcely possible to subdue the dust on an asphalt pavement by sprinkling, but macadam can easily be kept moist. Macadam should, in Ontario, supplant asphalt on residential streets where the traffic is not too great. Brick is not, in appearance, equal to a well kept macadam and should be used on residential streets only when, for economy, greater strength is needed and the handsome effect of asphalt is not required.

Granite block is suitable only for the support of excessively heavy loads, and may be used when driving for pleasure need not be provided for, and when noise is not objectionable. Cobble-stone is sometimes a cheap substitute for granite.

The same principle of economic fitness between the paving material and the circumstances of wear to which it will be subjected, must be carried out in the construction of country highways. We have to consider the character of the natural soil on which the metal is to be laid—whether loose and porous, or retentive; whether a light sand or dense clay. We have to consider the qualities which the traffic over the road will require of the pavement; we must consider the availability of material for surfacing the road, whether economy advises the use of the metal at hand or the bringing of a more suitable stone or gravel from a distance. The science of roadmaking is by no means a simple one, and to be able to speak with authority at all times means a lifetime of experience and research.

We Want Good Roads.

The time wasted by the farmers of this country in driving through bad roads would, if spent in building and maintaining them properly, bring the roads in a short time to a state of perfection. A prominent supporter of the Good Roads movement said the other day: "I have lost one-quarter of my life on account of bad roads, to say nothing of patience and temper.

And yet nothing has been more common than to hear some one say, in opposition to good roads, and it is almost the only opposition the movement gets: "We've plenty of time and plenty of horses, we can afford to take small loads, and take them slowly." There is no

greater mistake than to suppose that the farmers of this country have time to waste. "Time is money" with farmers as with any other class of the community. Between the unsuccessful business man and the successful; between the unsuccessful farmer and the successful, there is just this difference, that the former has time to waste and the latter has not.

The time that is wasted on bad roads is that which ought to be spent in building fences, overhauling machinery, making general repairs—giving the farm that oiling and brushing up which is so necessary to its successful operation.

The farmer has to be able to sell his produce as well as able to raise it. He must keep in touch with the markets and the business world, and be able to reach them with his farm products quickly and economically. In the dairying districts good roads are especially needed. Said a gentleman doing business in the eastern part of the province, "Every summer I leave in this county for milk \$20,000, and when the roads become passable the whole year around, I will leave \$20,000 more. Cheesemakers everywhere tell of the injury done to the milk by the churning it receives on rough roads; of the inconvenience, labor and expense, sometimes impossibility of obtaining milk because of bad roads. With evidence of this kind before us, the economy of good roads cannot be questioned.

A Rural Telephone System.

Farmers living in the vicinity of Glidden, Ia., have constructed a fence wire telephone system, which is connected with the system of telephones in the town. If it proves successful the plan should cheapen materially the cost of rural telephones, and could be adopted in sections of Ontario with profit.

The top wire of an ordinary three-wire fence is used. In making connections, wherever the wire has been spliced, a short piece of No. 12 wire is soldered on each side of the splice, so as to make a good metallic circuit. The posts in the fence are cedar, with the exception of a few live willows. On the trees the wire is insulated by spiking to the trees small porcelain knobs using No. 12 wire on these insulators.

The wire is cut, also, on each side of the live trees to prevent any contact with them, or with any other wire on the fence. It is cut also, wherever the wire leaves the fence for the houses in order to prevent there being any branches from the line which might possibly be grounded.

Part of the wire fence is very old and badly rusted, having been in use for about sixteen years, but by insuring good contact at the joints, it works satisfactorily.

The results are said to be exceedingly good over the four miles of wiring between the most distant telephone and the telephones of the town.

QUESTION DRAWER.

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

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

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

Police Appointments.

168.—W. S. H.—Does the act provide for the board of police commissioners to have the appointing of the police, or does the council do it, in a town not a city?

Section 481 (1) of the Municipal Act provides: "In every city there is hereby constituted a Board of Commissioners of Police, and in every town having a police magistrate the council shall constitute a like board." From this it will be seen that where a town has a police magistrate the council may constitute such a board. If it has no police magistrate, it has no such power. If your town has a police magistrate and the council has constituted a Board of Commissioners of Police, you will find the duties and powers conferred upon such board, in regard to the police force, in section 488 and following sections, but if there is no such board section 493 provides: "The council of every town not having a Board of Commissioners of Police shall, and the council of every village may appoint one chief constable and one or more constables for the municipality."

When Councils May Borrow for Current Expenditure—Adoption and Publication of Auditors' Reports.

169.—J. M. R.—1. Have the council power to borrow money for current expenses before taxes are levied?

2. Auditors make special report in reference to irregular expenditures. What action should council take?

1. No. This question has not been brought to our attention before, and we believe the general practice is to pass by-laws to borrow money at any time.

2. The clerk is directed, by section 306, to publish the auditors' abstract and report. This would include the special report referred to. This is a statutory direction which the council cannot change. The council may give directions with reference to publication of detailed statement and under section 307 they are directed to finally audit and allow the accounts of the treasurer and collector and in case of charges not regulated by law, the council shall allow what is reasonable.

J. M. R.—1. In answer to my question, "Have the council power to borrow money for current expenses before the rate is levied," Did you read sec. 409, Municipal Act, R.S.O.,

1897, before deciding, or does it apply to question asked?

2. Re auditors' special report, you will understand that each made a separate report while each of them refused to sign, respectively, the other one's report. Consequently neither of them are signed by both auditors, and council are in a quandry as to whether they are compelled to receive and adopt any report signed only by one auditor.

3. Is any personal liability attached to a councillor who votes for by-law to be passed for borrowing money to meet current expenses in advance of the levy of rate?

1. We have considered section 409. Its object was to fix the fiscal year for all municipalities for rates and taxes. We think that the word "levied" in section 435 has reference to the corporate act of the council when it passes a by-law to strike the rate necessary to be levied to raise sufficient money to meet the expenditure for the fiscal year. Sub-section (4) of the same section supports this contention. It gives the council similar powers with regard to moneys required by public or high school trustees, provided such sums of money do not exceed the estimates submitted by such trustees. Unless the council waits until it has these estimates how can it know whether it is within or outside of the borrowing limit.

2. The Municipal Act does not appear to provide for a difficulty such as has arisen in your case. We think however, that the clerk should publish the auditors' abstract and reports (if any), as required by section 306, because we do not think the council has the right to control him in that duty. We think the words "as the council directs" are confined to the form of the detailed statement. We do not see anything in the act requiring the council to adopt the auditors' report. Under section 307, the council finally audits the accounts.

3. No. Members of the council are not liable to disqualification unless the amount borrowed exceeds 80% of the amount of the taxes collected during 1897. See section 16, Municipal Act, 1898, and section 290 relieves the treasurer from liability for moneys paid in accordance with by-law, or resolution of the council.

Contract with Councillor—Application for School Monies.

170.—J. H. A.—1. Please inform me if it is in violation of the statutes for a municipal council to purchase goods from a member of the council, for corporation work, such as nails, etc.?

2. Also, can the council appoint to an office of the corporation a son of one of the members of the council, the office being caretaker of the town hall, and the party appointed having a salary attached to the office?

3. Also, what is the proper manner for trustees of a village school to apply to the council for monies for teachers' salaries, teachers being paid monthly?

1. Yes. Section 83 of the Municipal Act provides: "In case a member of the council of any municipality, either in his own name or in the name of another, and either alone or jointly with another, enters into a contract of any kind, or makes a purchase or sale in which the municipality is a party interested, the contract purchase

or sale shall be held void in any action thereon against the municipality." See also section 80 of the Municipal Act.

2. Yes.

3. Section 62 (a) of the Public Schools Act makes it the duty of the trustees of all public schools "to submit to the municipal council, on or before the first day of August, or at such time as may be required by the municipal council, an estimate of the expenses of the schools under their charge for the twelve months next following the date of application;" and 67 makes it the duty of the council of every municipality to levy such sums as may be required by the trustees for school purposes, and this section further provides: "and shall pay the same to the treasurer of the public school board from time to time as may be required by the board for teachers' salaries and other expenses." If the trustees made a requisition for a levy under section 62 the council must pay over the moneys required to the amount stated in the requisition from time to time as the board requires, and in case of refusal the trustees may apply to the county for a mandamus. As to the form of the demand, all that is required is a short statement showing amount required and the purpose for which it is required, and a written demand for the amount, addressed to the council and signed in the usual way by the board, the corporate seal being attached.

By-law Union School Section Debentures.

171.—J. J. P.—A new Union school section was last year formed, as required by statute, from portions of this and the adjoining township of Ops. A new school-house is to be erected on the Manvers side of the section and the trustees have requested our council to pass a by-law and issue debentures for the whole amount required (\$1000)

1. Will it be necessary for the corporation of Ops to pass a by-law in confirmation of our by-law and giving authority for the special rate required to raise their portion of the debenture debt?

2. Is it necessary that the Manvers' by-law should recite the amount of the assessment of the Ops portion of the school section?

3. Is it imperative that the amount required to redeem the debentures should be raised by special rate? (Our late clerk in similar cases added the amount of the debenture debt to amount required for ordinary expenses and raised the whole amount under one trustees rate.)

4. Should by-law of this nature be registered and published as required by secs. 396 and 397, chap. 223, R. S. O., or are they exempt under sec. 398?

5. Should proceeds of these debentures pass through the hands of the township treasurer? (It has been the custom in this township heretofore to hand the debentures when completed to the trustees to be disposed of by them.)

1, No. 2, Yes. 3, Yes. 4, Yes, it comes within the sections referred to, and must be registered and published as thereby directed. 5, Yes.

Bonus By-Law and Railway Station.

172.—W. W.—Give me your opinion as to whether the council have the power, under the enclosed by-law, to grant authority to the T. L. E. & P. Railway Co. to move their station

outside the corporation limits, by resolution, or must the privilege be granted by a by-law first submitted to the ratepayers?

The council and the railway company, having agreed upon the place where the company should erect its station, in compliance with the agreement contained in the by-law, we think there is an end to the matter. We do not think it was intended to leave it in the hands of the council and the railway company to shift the station from one point to another, according to their fancy. A station was to be built by the company as one of the conditions upon which it was to become entitled to the bonus, but the council had the right to say at the time how far the company might place it beyond the three-quarter-mile limit. If the council cannot grant the authority asked for, we do not see how the ratepayers can grant it.

Union School Section Alterations.

173.—R. J. R.—Will you point out the proper procedure to dissolve a union school section which is known as Listowel Union School Section, in which lots Nos 25 and 26 in the second concession of Wallace, are united to Listowel for school purposes. It appears that there has never been any equalization under section 51 of the Public Schools Act, and I am not sure that section 43 of the said act will be applicable for dissolution.

We are of the opinion that section 43 applies to this case, among other things it says, "and union school sections may be formed, altered or dissolved as follows." The fact that there has never been any equalization cannot effect the express powers contained in this section. The procedure is so complete and lengthy that we consider it needless and inconvenient to publish or attempt to explain it.

Township Liability—Government Bridge.

174.—W. T.—Township of Christie. In this township are two lakes, M and D, containing about one square mile and one-half a square mile respectively. These lakes are connected by a strait or narrows about 200 feet long and 25 or 30 feet wide at the narrowest part. The waters of these lakes rise and fall from five to six feet annually, owing to dams placed by timber companies to facilitate the transportation of logs. Over the above mentioned strait the government built a bridge about twenty or twenty-five years ago, sufficient for all ordinary travel up to the present time. The bridge is on a government colonization road and is four feet above the highest water mark. A company is now building a mill on lake M, and they demand the council to raise this bridge nine feet above highest water mark or place a swing bridge in place of the present one. They want the bridge raised to allow a small steamer to tow logs from Lake D to their mill on lake M.

Can the council be compelled to raise this bridge? If so, who should bear the expense? The approaches will cost considerable and be dangerous to travel.

You do not show whether the road in question is a public highway vested in the municipality within the meaning of section 598 of the Municipal Act, or a road vested in Her Majesty under section 627, but so far as the question asked by you is concerned, we do not see how the company can compel the council to raise the bridge. If you will let us know the history of the road, so that we may form an

opinion as to whether it is a public highway, vested in the municipality, and also the statute under which the company claims the right to compel the council to raise the bridge at its own expense, we shall be glad to consider it further in the light of such further information, but as we understand the case at present we advise the council to do nothing.

175.—J. T.—Can the councillors be compelled to raise a bridge nine feet high, at present it is four feet? The government built the bridge. The ground that the bridge stands on belongs to the government. They reserve six feet on both sides of that river. The bridge would be raised for a private individual use and not for the public at large.

We do not see how the councillors can be compelled to raise the bridge, and we would advise the council not to do so.

Taxes on Post Office.

176.—N. M.—The postmaster paid the taxes on this post office, but the owner of the said post office is threatening to sue the council for the taxes paid, on the ground that this post office was illegally assessed. According to the decision of the court quoted in your paper, can he succeed?

Unless the owner can show that the taxes were paid under compulsion, that is to prevent a threatened seizure of property he cannot recover a payment of taxes upon a demand being made for them without any threat or attempt to seize property, to make them is not a payment under compulsion but a voluntary payment.

Clerk May Collect Water and Light Rates.

177.—T. M. C.—Is it lawful for a clerk of a village to collect electric light and water rents if appointed to do so by the council?

Yes, the latter part of section 295 (1) of the Municipal Act provides, "but the council shall not appoint as assessor or collector a member of the council or the clerk or treasurer of the municipality." Prior to the revision of the statutes in 1897 the law which prevented the one person from holding the office of clerk and collector was to be found in section 12 (1) of the Consolidated Assessment Act, 1892, but section 12 (1) has been struck out of the Assessment Act, and now appears in the Municipal Act, under section 295. Having in view the fact that this provision in 1892 was in the Assessment Act, and the light thrown upon the subject by sub-sections 3, 4 and 5 of section 295, we think that the latter part of section 295 (1) applies only to the collector who is required to be appointed to collect the taxes on the collector's roll. By section 92 The Municipal Light and Heat Act, chapter 236, R. S. O., 1897, the council has power to pass by-laws for fixing the rates, charges and rates for lighting, and the time and places when and where the same shall be payable.

Statutory Regulations re Cattle Running at Large.

178.—J. W. R., Peterborough Co.—Do the R. S. O., 1897, prohibit cattle of any kind, sheep, pigs, horses, etc., from running at large at any time, or must the municipal council of

each township pass by-laws governing such matters?

Section 1 of chapter 272, R. S. O., 1897, provides "until varied or other provisions are made by by-laws passed under the authority of section 546 of the Municipal Act, this act shall be in force in every township, city, town and incorporated village in Ontario." Section 546 empowers the council of a township, city town or village to pass by-laws for restraining and regulating the running at large of any animals, but unless and until such council passes a by-law for that purpose the act respecting pounds, that is chapter 272 above referred to continues in force.

Statute Labor—Where to Perform.

179.—SUBSCRIBER.—A owns W ½ lots 9 and 10 on the 10th concession. Is A obliged to work road labor on both, the proving line at the head of lot 10 and also on the 10th line, providing council directs the clerk to put half of A's labor on each list?

The latter part of subsection 2 of section 109 of the Assessment Act provides, "but every resident shall have the right to perform his whole statute labor in the statute labor division in which his residence is situate, unless otherwise ordered by the council." The council has power to regulate the manner and the divisions in which statute labor shall be performed. This power must be exercised by by-law, under section 561 of the Municipal Act. If the council do not pass a by-law on the subject the ratepayers may do the work rated against each lot or piece of property in the division in which it is situate, but he has the privilege of doing the whole in the division in which he resides.

Assessors' Duty—Penalty.

180.—NEMO.—The attention of a reeve of a township was brought by several ratepayers, to certain property in the township that was liable to assessment. Reeve call assessor's attention to this, who declined to pay any attention to it. What is the proper course of action?

Section 249 of the Assessment Act makes an assessor who refuses or neglects to perform any duty required by him under that act liable to forfeit a sum not exceeding \$100. Section 251 renders him liable to a fine not exceeding \$200 and to imprisonment until the fine is paid for a period not exceeding six months, or to both fine and imprisonment for wilfully omitting any duty required of him by the said act. See also sections 252 and 253 of the same act.

Duty of Chairman of Committee—No Report.

181.—T. C. N.—A communication is referred to a certain committee with instructions to report at next meeting of the council. Well, the committee meets and disagrees on any report, the vote being a tie. Now the question is this, has the chairman of this committee not the right to stand up in council when that order of business is on, and state verbally to the council that the said committee met and disagreed, and that consequently there is no report?

Yes, we do not see how the right to do so could be questioned.

Repairing Bridge—Approach to Gate.

182.—CLERK.—Can a farmer compel council to keep in repair a bridge over ditch in front of gateway? Said ditch was made by council. The council, by resolution, built the bridge and in the same resolution expressed that they were not to keep the bridge in repair.

No he cannot compel the council to do so.

Repair Township Boundary Line Bridge.

183.—J. H. H.—We have a bridge on the boundary line between our township and adjoining township which is getting dangerous for public travel. Our council wants to repair half of the bridge and notify the adjoining township to repair their half of the bridge after being notified to do so, would our council be liable or have to pay any damages or costs providing there was an accident occurred on their half of the bridge, after our council repaired their part of the bridge.

Why should the township be called upon to maintain the bridge? Is it not the duty of the county to maintain it? See sub-section 2 of section 613 of the Municipal Act. In the absence of a by-law of the county council passed under the authority of sub-section 3 of section 617 in the case of a river or stream less than 80 feet in width, it is the duty of the county council to maintain this bridge. If such a by-law has been passed the procedure to be taken is provided by section 622 and following sections of the municipal Act. We do not think the plan suggested is proper. The two municipalities have joint jurisdiction over the bridge. (We are assuming that the county council has passed such a by-law as is above referred to,) and they should act jointly in the matter. If the other council refuses to co-operate with your council we would advise you to notify such other council that the bridge is in need of repair and that you are ready and willing to do your share in rebuilding or repairing it, and that if any accident shall happen you will ask the council to order such other municipality to pay the whole of the damages and costs. There appears to be considerable power placed in the hands of the court to visit the real delinquent with the damages and costs under section 610 of the Municipal Act.

Assessment of Owners, Occupants and Tenants.

184.—A. R.—I. A is owner of 100 acres of land which is occupied by B who holds an agreement from A to receive the deed of said lot on payment of certain sums. A also owns several other parcels of land, does not live on 100 acres, but both live in same township. How should A and B be assessed?

2. C lives on 7th concession where he owns 300 acres of land. About two years ago he purchased two parcels in the 9th concession, 150 acres, which is occupied by his son who lives on the latter place. The son is married and has a family. C claims that all the property is worked as one farm. How should they be assessed?

1. Section 20 of the Assessment Act provides: "Land not occupied by the owner, but of which the owner is known and at the time of the assessment being made resides or has a legal domicile or place of business in the municipality, etc., shall be assessed the owner alone if the

land is unoccupied, or against the owner and occupant, if the occupant is any person other than the owner. Under this section A should be put on the roll as owner and B as tenant.

2. C should be assessed for the 300 acres alone, and the 150 acres should be assessed against C as owner and the son as tenant, according to section 10.

Register Tile Drainage By-Laws.

185.—J. K. C.—Please let me know in the question drawer, if a by-law passed under sections 2 and 3 of chap. 41, R. S. O., Tile, Stone and Timber Drainage Act, requires to be registered in the county registry office.

Yes. Section 396 of the Municipal Act appears to require this. It says "every by-law passed by any municipality, etc., shall by the clerk, etc., to the registrar of the registry division in which the county town is situate, and in the case of a local municipality to the registrar of the registry division in which the local municipality is situate. The only exception made is that under section 398 it is not obligatory upon any city, town or village to register any by-laws passed under the provisions of the Municipal Drainage Act, or under the Municipal Act relating to local improvements.

County Council Grants or Roads.

186.—DURHAM.—1. Has a county council power to make grants to minor municipalities to be expended in repairing established lines of road?

2. Has a county council power to grant money to be expended on boundary lines between counties?

Section 613 (1) of the Municipal Act enables a county council to acquire jurisdiction over a road within a township, town or village with the assent of such township, town or village, and when jurisdiction is acquired by the county council over such a road it is the duty of the county to maintain the road.

Section 614 confers upon county councils the power (1) to assume, make and maintain (a) any township or (b) county boundary line at the expense of the county, or (2) the county may from time to time grant for the said purposes such sum or sums as they deem expedient.

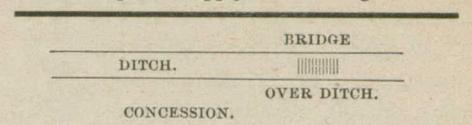
Section 615 authorizes a county council to maintain any township, town or village road which runs into any county road, and it may make grants for such purpose from time to time.

Subsections 6 and 7 of section 658 authorizes county councils to grant aid to minor municipalities, but the authority is limited to such roads as pass or run into a county road, and subsection 5 of the same section authorizes county councils to grant aid to a minor municipality for opening or making a new road.

Maintenance of Bridge Over Road Ditch.

187.—I. C. T.—I would like to call your attention to question drawer No. 69, and will just add to question that the owner of the land was not a party to the agreement in reference to keeping the bridge in repair; that before the ditch was made the owner had level ground

to gain access to his farm. Will section 606 of the Municipal Act apply to this bridge?



This is not the same kind of a case as we understood it to be. Section 606 imposes a duty upon municipal corporations to keep their roads reasonably safe for public travel, but the question here is whether a bridge which is not necessary for the general public who travel along the road, but which is necessary as a crossing from the travelled part of the way to private lands. We do not think the council is bound to provide crossings of this kind at the general expense of the municipality. Where, however, a public highway is cut down or otherwise altered so as to materially interfere with the enjoyment of a man's lands, the owner may be entitled to compensation for the consequential damages. See section 437. In case we should be asked to further consider this question it would be well to let us know whether the drain was constructed under the Drainage Act or under what special authority, if any.

Assess Church Parsonage.

188.—J. R.—The Methodist church own two acres (not connected with the church) on which is the parsonage. I hold such lot is liable for all taxes. Am I right?

Note—A question similar to the foregoing was answered some time ago, in Feb. No. of WORLD, 1898 as I notice by index to 1898, but I have not got that No. I asked a similar question but in that case the land is connected with the church. In this case the land is on the same lot but in a different concession; church is on lot 18, con. 3, and parsonage on lot 18, con. 2.

Prior to the 7th of April, 1890, property of this kind was, to a certain limited extent, exempted. See subsection 25 of section 7 of cap. 193, R. S. O., 1887, which declared the parsonage, when occupied as such, or unoccupied by him (that is, the minister or clergyman), with the land thereto attached, to the extent of two acres, and not exceeding \$2,000 in value. In the 1890 session of the Legislature, cap. 55 of 53 Vic., the following amendment of the law was made: "The stipends or salaries of clergymen and ministers of religion, and parsonage or dwelling occupied by them with the lands attached thereto, shall be liable to assessment for all municipal purposes in the same manner and to the same extent as the incomes, dwellings and property of other persons. The article, numbered 25, of the 7th section of the Assessment Act is hereby repealed." The exemption which formerly existed has not since been restored, and we therefore agree that you are right.

Tax Sales in Algoma

189.—H. L. Mc.—As we are going to have sale of lands for arrears of taxes in the municipality of Nairn, Lorne, and Hyman, this coming summer, and the largest portion of the

lands were deeded for mining purposes and the parties that own these lands do not live here, please give advice as to how to proceed to sell those lands according to law, as the council never had anything to do with the like before.

Section 53 of chapter 225, R. S. O., 1897, provides that arrears of taxes due to any municipality in any of the said districts, (that is Algoma and other districts) shall be collected and managed in the same way as like arrears due to municipalities in counties, and the treasurer and reeve of such municipality shall perform the like duties in the collection and management of arrears of taxes as in counties are performed by the treasurers and wardens thereof, etc. Section 152 and following sections of the Assessment Act, chapter 224, R. S. O., 1897, contains the duties of treasurers, clerks and assessors in regard to arrears of taxes, and section 173 and following sections of the same act contain the procedure to be adopted for the sale of lands for taxes, when they are subject to be sold for taxes. These sections are altogether too lengthy to be printed here. They are so lengthy and contain so much that we cannot cut them down without omitting portions which are important. In the case of the sale of lands for taxes you cannot be too careful in complying with the exact procedure laid down in the above sections.

Assessment—Under Age—Poll-Tax.

190.—F. J. S.—If a young man who is not of age when the assessor makes the assessment, and consequently his name does not appear on the assessment roll, but the collector demands poll-tax from this young man in October, said young man being twenty-one in August. We claim that this young man is entitled to pay his poll-tax to collector, he not being exempt from doing so. The argument is, he not being assessed the collector cannot collect poll-tax from him. We say he can and has a right to collect same. Please give your verdict in the matter by return mail.

The tax collector's authority is his roll which is a warrant to him to levy and collect such taxes as are payable under the roll, but his authority ends there. In the case of a city, town or village provides that such a tax as this shall be levied and collected at such time, by such person and in such manner as the council of the municipality may by by-law direct. From this it will be seen that such council must provide by by-law for the collection of such tax. The ordinary collector who collects taxes under the collector's roll has no such authority by virtue of his roll. The council may appoint him or any other person to levy and collect poll-taxes, but if the council does appoint him he derives his authority under the by-law and not under the collector's roll. See section 97 of the Assessment Act. In the case of townships, section 100 makes a person, not otherwise assessed, between the ages of 21 and 60, who is not exempt by law, liable to one day's statute labor, and the payment of the commutation in case the statute labor is commuted, or the performance of the labor must be enforced under section 107. Unless, therefore, your col-

lector has been authorized by by-law of the council to levy and collect this tax he has no authority to do so. We may also say that it is extremely doubtful if this young man is liable at all. Our own opinion is that not having reached 21 years of age until long after the return of the assessment roll he is not liable to the tax this year. If he is, it follows that a man who becomes of age on the last day of the year would be equally liable.

A Ditches and Watercourses Case.

191.—J. C. M.—1. If A requests engineer to come to give him an outlet as his lot needs a drain, can engineer go on B's lot which lies higher up, than A's and then assess C's lot still higher up, or must the engineer start the drain in A's lot or is it the intention of the Ditches and Watercourses Act to commence at lower side of A's lot.

2. Can A stop B running water on his, A's, lot until B gets an award or an agreement?

1. The engineer cannot go higher or farther up than A's lands in the construction of the drain, because his authority is derived from A. He may start at any point on A's land. He can direct, by his award, the construction of the drain through lands lower down than A's lands to a sufficient outlet within the limit prescribed by the Ditches and Watercourses Act. Section 5 of the act fixes a certain limit, and the engineer must confine himself within this limit. In regard to the assessment, section 6 shows what lands are liable to assessment.

2. If A gets a drain constructed under the Ditches and Watercourses Act, and B is not assessed for the cost of it, he has no right to make use of it. B has no right either to collect water by means of artificial drains, so as to discharge it in large volumes or with greater velocity upon A's lands than it would flow naturally so as to cause any damage to his lands or crops. A's lands, however, being lower than B's, are to a certain extent servient to B's, and A has no right of action against B for the natural flow of water from B's on to his own land. Waters, however, which do not flow in a defined channel, are surface waters, and as to these A has the legal right to bank up his land if he chooses to do so, in order to prevent such surface water from flowing upon his lands.

Wood Market Regulations.

192.—R. G. D.—Have town councils power to pass by-laws to compel farmers who are offering wood for sale on the market, by the load, to have a certain kind of rack or to have it measured and make the man offering it for sale, pay for the measuring?

Subsection 9 of section 580 of the Municipal Act authorizes the council of every city, town and village to pass by-laws for regulating the measuring or weighing (as the case may be) of lime, shingles, lath, cordwood, coal and other fuel, but this provision does not appear to be of much value, for subsection 5 of section 578 provides: "No by-law shall require hay, straw or other fodder to be weighed, or wood to be measured, where neither

the vendor nor purchaser desires to have the same so weighed or measured." Subsection 8 of section 578 limits the fee for measuring a load of wood to 5c. It therefore follows, that where the vendor or buyer desires to have a load of wood measured, no more than 5c. can be charged for measuring it. We can find no authority for compelling a farmer to provide himself with a particular kind of rack, in order to be entitled to enjoy the privileges of a market.

Assessment and Statute Labor.

193.—W. O'B.—A man is the owner of a farm of 100 acres, assessed at \$2,800, which, according to the statute labor by-law of the municipality, calls for four days' statute labor. He has two sons, over the age of 21 years, living on the farm with him and working continually on said farm. Should the sons be assessed as joint owners with the father, and if so, would the four days be sufficient for the assessor to charge on the assessment roll against said farm? Assessment appears on roll as follows:

Father, owner,	}	\$2,800.	4 days' labor.
Son, " "			
Son, " "			
or			
Father, owner,	}	\$2,800.	4 days.
Son, " "			1 " "
Son, " "			1 " "
			6 days.

Please answer which of the above is correct.

Section 106 (1) of the Assessment Act provides: "Every farmer's son rated and entered as such on the assessment roll of any municipality shall, if not otherwise exempted by law, be liable to perform statute labor or commute therefor, as if he were not so rated and assessed." The words "if not otherwise exempt" refer to persons in the military or naval service, firemen and other persons expressly exempted from the performance of statute labor. According to section 106 a farmer's son is liable to poll-tax, and such poll-tax should be collected by some person specially authorized by by-law of the council. The two days statute labor should not in this case be added to the four days and regarded as a charge against the land.

Poll-Clerks.

194.—P. K.—Is it positively required that a deputy-returning officer shall, at Municipal Election, appoint a Poll-Clerk, or can he perform the duties alone if he chooses?

We do not think so. We cannot anywhere find any provision making it imperative upon the deputy-returning officer to appoint a poll-clerk, but there are sections which impliedly show that elections are or may be conducted without a poll-clerk. Subsection 2 of section 165 of the Municipal Act provides: "He (that is, the deputy-returning officer) shall record, or cause to be recorded by the poll-clerk, etc.," and section 174 of the same act provides: "In every polling place, the deputy-returning officer shall immediately after the close of the poll, in the presence of the poll-clerk (if any), etc."

Treasurer's Appointment and Sureties—Diphtheria Expenses.

195.—R. AND R.—1. The council passed a by-law appointing W. E. James township treasurer and raised the amount of sureties \$1000 each because the amount on roll had raised and now it is still higher; \$2730 is the amount to be collected. Now there is a new council in and they want to take it from Mr. W. E. Jones and appoint another, and two sureties and himself are assessed at cash value and it only amounts to \$1100 for the three. No fault is to be found in Mr. James' books and he has a safe to keep the money and books in, and five of the largest ratepayers have put in a petition to the council asking them to retain Mr. Jones as treasurer. There is not one fault against the said treasurer and the party they want to appoint has no place to keep books or monies. Let me know what is to be done.

2. Also our Board of Health. Last summer we had two families with diphtheria. They sent to our reeve asking him to send for a doctor. The bill amounted to \$101—doctor's bill and disinfectants. We want them to pay \$79. They went to the council yesterday stating that they would not and they are fair to do farmers. See Section 61 and 70 of The Public Health Act.

1. This appears to be a matter wholly within the jurisdiction and discretion of the council. The council may dismiss Mr James and appoint some other person in his place if it sees fit to do so, and if the ratepayers do not like it they must bear with it until the next election and elect other men to carry out their wishes.

2. We do not agree that sections 61 and 70 apply to the case in hand. Section 70 is one of the sections under the head of "Nuisances," and to cases of nuisance. Where a member of a family happens to have diphtheria, and the dwelling-house is clean, we cannot see how either such member or the house can be called a nuisance. Section 61 is pretty wide, but we do not think it applies to this case. You may, perhaps, make out a case under section 93; but the farmer may say that he was ready and willing to have his own family physician attend, but that he was not given an opportunity to do so. We would advise you to sue them and have your division court judges pass upon these cases.

Distress for Taxes Personal Property.

196.—J. R. K., Enniskillen Tp.—A is assessed for real estate and goods in his store, which are personal property. He loses his property and goes to British Columbia, leaving his family and household effects behind, which are removed to another building in the same village. B, who is one of the creditors whose name does not appear on the roll, but pays the taxes on the real estate. Can the collector distress the household effects for taxes on the personal property? How can I recover the amount of those taxes.

We do not think so. Section 135 of the Assessment Act does not appear to give you any right to levy upon the goods in question. On first blush one might think that sub-section 1 and 4 (2) of that section gave the right to seize such goods, but we are of the opinion that the remedy afforded by these two clauses is confined to the case of taxes against land. Section 142 will not help you because the property we suppose is exempt (though we cannot

of course say whether it is or not without a list of the articles,) and if it is exempt it cannot be seized under an execution.

Sale of Mining Rights on TownLine Roads.

197.—W. H. J., Belmont.—There is a boundary road between the townships of Belmont and Marmora which is also the boundary between the counties of Hastings and Peterborough. The township of Marmora has sold thirty feet of road allowance for mining purposes. The mining purchasers sunk a shaft on the Marmora part of the road allowance and have drifted through and are working under the Belmont side. The road allowance is used as a travelled road.

1. How will the council of Belmont proceed to stop the working of the mine under their half of the road or collect compensation?

2. Had the township of Marmora any right to sell half of said boundary road without consent of the township of Belmont?

Section 622 of the Municipal Act, confers joint jurisdiction upon the adjoining municipalities, over a boundary road between such two townships, and, therefore, Marmora and Belmont have joint jurisdiction over the road in question. Section 657 (1) provides: "The corporation of any township or county, wherever minerals are found, may sell or lease, by public auction or otherwise, the right to take minerals found upon or under any roads over which the township or county has jurisdiction, if considered expedient so to do." We cannot see how Marmora could, without the concurrence of Belmont, convey any rights to a purchaser of the minerals upon or under the highway in question. We are of the opinion that in order to make a valid sale of such minerals, the two townships would have to join in the sale, and that the proceedings provided by section 657 would have to be observed. If Marmora has passed a by-law upon the supposition that it had the right to do so without the concurrence of Belmont, an application may be made to have the by-law quashed, or an action may be brought against both the township of Marmora and the purchaser for a declaration that Belmont has joint jurisdiction over the road in question, and for an account of the money received, if any, for such minerals, and payment to Belmont of its share thereof, and for an injunction restraining any further interference with the road. The case of the city of Toronto vs. Lorsch, 24 O. R., 227, following Fenelon Falls vs. Victoria R. W. Co., 29 Grant, p. 4, is an authority for this course.

Auditors and Audits—Officers and Declarations.

198.—G. K.—When officers, say auditors in this case, are appointed by municipal councils and any of them, after being notified of their appointment by the clerk, do not subscribe to the declaration of office required by law, and get treasurer's books and proceeds to make the audit, and present the audit to the council as complete, and expect their pay for same,

1. Would the council be doing right in accepting same, or if not what would be the proper steps to take in the matter?

2. Would the audit be legal in the face of auditors not subscribing to Declaration?

3. If council accepted audit could it be objected to, successfully, by ratepayers?

4. Should any other officer of the corporation be acknowledged as such if he has not taken the declaration of office within the time allowed by law?

5. Is it the duty of clerks to notify council of any such neglect of duty on behalf of any officials?

I may mention this is a township municipality.

1. Yes. The council would be right in so doing.

2. The audit is not illegal because the auditors did not subscribe to the declaration of office.

3. No.

4. The council should see that all officers appointed make the declarations of office, as required by the Municipal Act, before they enter upon the duties of the office.

5. We cannot say that it is a legal duty but the clerk ought to bring such a matter as this to the notice of the council.

Taxation of Post-Office.

199.—ASSESSOR.—Is a building built by a private individual and used as a post-office and a dwelling house, liable to taxation? The postmaster being the owner and occupant. In his appointment by the government, nothing being said about rent, receiving only a stated amount as salary.

In order to be exempt, it must appear that the property is held in trust for Her Majesty or for the public uses of the province. We do not see how it can be said that this particular building is being held in trust for Her Majesty, and therefore we do not think the property, in this case, is exempt.

A Drainage Case.

200.—S. S.—A creek having its rise in an adjoining township, after crossing several farms in that township, flows into our township and continues therein until it finds an outlet in a larger creek some two miles from the boundary of our township and that in which it had its rise. I think 19/20 of the work will be done in our township, and I think a majority for the petition could be got in each. What I want to know is, can our municipality be the initiating municipality and carry the work upwards into the adjoining municipality or must we wait the action of the adjoining municipality? We could, I presume, carry the work up to the boundary and charge outlet liability to those above?

Before answering this question we should be furnished with a rough plan, showing the position of the territory to be drained, the quantity of land in each municipality approximately, and the size and length of the two creeks referred to, and the nature of the proposed drainage work, and the proposed course which the drain is to take, in order that we may see what is to be done with the creeks, if anything.

Storekeepers' Assessment—Assessor or Councillor—Disclaimer—Election.

201.—SUBSCRIBER.—1. Has a storekeeper the option of being assessed on the certified income from the business for the year, or of having his goods assessed to their paid-up value i. e. has he his choice of these two ways of being assessed?

2. At our nomination there were just three of our old council present, and two ratepayers besides. The old reeve and three old councillors were nominated with one new councillor. This new councillor was our last year's assessor, but was not discharged. He finding

that he could not legally qualify, put in a disclaimer. When the new council met and took their oaths of office, they accepted his disclaimer and they then appointed to the vacancy as councillor, the old councillor who served last year. At our last meeting of council we got a notice from the councillor appointed, stating that he did not consider his appointment legal, and that he would have to call an election and elect one by a vote of the ratepayers. We would like to know the proper steps to take in the matter, (as he has not yet refused to act) in case he positively refuses to act; or were we right in appointing him? Is his appointment legal? In case of his refusal to act, can we appoint another, or shall we have to hold an election?

1. We are not aware of the existence of any law giving any such option. Under subsection 1 of section 28 of the Assessment Act, the assessor is required to assess such property at its actual value, but subsection 24 of section 7 of the Assessment Act exempts so much of the personal property of any person as is equal to the just debt owed by him on account of such property.

2. We consider the appointment illegal. You must hold an election in the usual way.

Not a Municipal Question.

202.—J. S.—A gives B half an acre and one dollar as long as B lives, the land to go back to A when B dies. B builds house and stable on the half acre; the house burns down. B makes an auction sale and sells household furniture and stable. Can A stop the buyer from removing the stable? The stable is built up by putting posts in the ground. There is nothing in the agreement between A and B about buildings, only about the land.

If you are able to tell us what the written agreement means without taking the trouble of sending it to us, it is unfortunate that you do not know all of the law involved in the case. We have repeatedly pointed out the necessity of having written documents before us in order to advise people as to their meaning, but we cannot get them. How do you know whether the land goes back to A or not? Assuming, however, that you are right, we do not think that B has any right to remove the stable, and that A may bring an action against him to restrain from moving it off the lands.

Taxes on Post-Office.

203.—ENQUIRER.—The building in which the Post Office in the town of Owen Sound is kept, is rented from the private owner by the Post-Office Department, but is only partly used for Post-Office purposes—the portion not so used being unoccupied. The private owner claims exemption from taxes for the whole of the premises, and for the land on which the building stands, under the provisions of section 7, sub-section 1, of the Assessment Act, R. S. O., 1897. Is he entitled to any exemption under this section? If he is, to what extent? Will any exemption to which he may be entitled include school taxes?

If there is a lease from the owner to the Government for post office purposes the whole of the premises so leased are exempt. We think the lease governs and that the assessor has no right to cut down the exemption by showing that only a part is actually used for the purpose of a post

office. The exemption includes school taxes.

High School Grants.

204.—M.—1. Can a high school that receives special grant from the county where the maintenance of county pupils require such special grant, also receive the county equivalent to the government grant? See High Schools Act, R. S. O., 1897, section 32.

2. Since 1891 Welland high school received not only the extra grant but has drawn the equivalent. I have just stated the case in a local paper, and have taken the ground that it is all wrong. No one (that would squeal) has discovered the mistake until now. Suppose equivalent is \$640 and county pupils call for \$635. No special, but get \$640. Suppose county pupils call for \$645. Then \$645 + \$640 = \$1,285 is drawn, this is absurd.

The county council must contribute an equivalent to the legislative grant in any case. See section 31, High Schools Act. Where, however, the cost of the maintenance of county pupils at any high school exceeds the legislative grant and of the fees received from county pupils, the county shall, *in lieu of the equivalent of the legislative grant*, be liable on the basis provided by section 32. The grant which has to be made under section 32 is not additional to that required under section 31, but is in lieu of it. These two sections are plain enough and you are no doubt quite right.

Goderich Councillor Disqualified

FOR VOTING ON BY-LAW TO BORROW MORE THAN 80% OF CURRENT EXPENDITURE—JUDGE MASSON'S DECISION.

Queen ex rel. McLeod vs. Thompson and Campbell.—This is an application under sec. 219 of Municipal Act (R. S. O., cap. 223) for an order declaring the defendants not duly elected to the offices of mayor and councillor, respectively, of the municipality of Goderich, on the ground that they were severally disqualified under section 435 of said Act, for that they severally on the 4th of March, 1898, being respectively mayor and member of the council of the said municipality which authorized the mayor and treasurer thereof to borrow from any person or bank willing to lend the same a sum not exceeding the sum of \$25,000.00 to meet the then current expenditure of said municipality, until such time as the taxes then levied therefor could be collected, said sum being more than 80% of \$27,775.31, the amount collected as taxes to pay the ordinary current expenditure of the municipality in the preceding municipal year.

In addition to the affidavits filed before service of notice of motion herein, and the affidavits in answer thereto filed by the defendants, several witnesses were examined before me on behalf of the plaintiff and the defendants. In addition to the \$27,775.31 collected as aforesaid in 1897 the said municipality received water rates to the amount of \$3,550.76. It was contended on behalf of the defendants that the water rates were taxes and collected as taxes from the consumers. The municipal Waterworks Act, R. S. O., cap. 235, sec. 20, sub-sec. 1, enacts: "The sum payable by the owner or occupant of any house, tenement, lot or part of lot for the water supply to him there, or for the use thereof, and all rates, costs and charges by this act to be collected in the same manner as water rates, shall be a lien charge on the house, tenement, lot or part of a lot, and may be levied and collected in like manner as municipal rates and taxes are by law recoverable;" and it was contended that this brought those water rates within the expression found in sub-sec. 2 of sec. 435 of the Muni-

cipal Act, at "80% of the amount collected as taxes." A reference to the Waterworks Act shows the intention there is to provide and describe a mode of collecting and recovering these water rates and other charges, and after declaring them a lien on the real estate provides that they "may be levied and collected in like manner as municipal rates and taxes are by law recoverable." Such a provision cannot make these "rates" taxes within the meaning of the Municipal Act, especially when, as in the sub-sec. referred to, the nature of the taxes are particularly defined "80% of the amount collected as taxes to pay the ordinary current expenditure of the municipality." It was further contended on behalf of the defendants that, notwithstanding the wording of the by-law, the object and intention of the council was to enable the mayor and treasurer of 1898 to renew a note for \$17,500 made by mayor and treasurer of 1897 which had, as a floating debt, been gradually increasing from December 31st, 1892, when it was \$7,500, to Dec. 31st, 1897, when it was \$17,500, and that a large portion of such floating debt, to wit, \$8,000 or \$10,000, was for expenditure on capital account for waterworks construction and ordinary current expenditure, that said note had been renewed, and only the difference between \$17,500 and \$25,000—that is \$7,500—borrowed on the authority of the by-law. The evidence does not very clearly reveal the origin of this floating debt, but from the evidence of Mr. Bill, one of the auditors for the municipality, only about \$2,400 of it can be said to be due to waterworks expenditure. I do not see, however, that the origin of such debt can make any practical difference. Each item of expenditure, whether for waterworks or otherwise, was from time to time treated by each succeeding council, and, as far as they had power to do so, brought clearly within "ordinary expenditure" as such term is interpreted by *Cross vs. Corporation of City of Ottawa*, 23, U. C. R., 288; *Corporation County of Wentworth vs. Corporation City of Hamilton*, 34, U. C. R., 585; *Wright vs. Corporation County of Grey*, 12, U. C. C. P., 479; *McMaster and Newmarket*, 11, U. C. C. P., 397; and while it is true the \$17,500 note was only renewed, the by-law authorized the borrowing, and had the Bank of Montreal refused to renew the same object would have been reached by borrowing elsewhere and returning the note held by that bank. But is it correct to refer to what was done as differing from a borrowing? The note maturing when by-law passed was signed by mayor and treasurer of 1897; the note given in exchange for it, or to retire it, was signed by the mayor and treasurer of 1898; presumably under the authority of by-law 4, 1898, which distinctly authorizes the borrowing, and the only authority for giving the new note, *Scott vs. Corporation Town of Peterborough*, 19, U. C. R., 469. It was, however, strongly argued by Mr. Garrow that the by-law in question was invalid, in that it did not fix the actual amount to be borrowed, but only mentioned a maximum limit "not exceeding \$35,000," and that such by-law being invalid did not authorize the borrowing, and defendants were not brought within the strict words of the statute imposing the penalty. Sub-sec. 2 is new, first appearing in 60 Vic., cap. 45, sec. 50, as it is found in R. S. O., and amended by 61 Vic., cap. 23, sec. 16, but the section—now sub-sec. 1—with very slight change has been part of our municipal law for many years, until 60 Vic. the only limit being "such sum as the council deem necessary to meet the current expense." In 1897, by 60 Vic., the additional and more definite limit is provided, namely, "80 per cent. of the amount collected as taxes to pay ordinary current expenditure in the preceding year." By sub-sec. 3, the person or bank lending is released from establishing the necessity of borrowing, but not of the observance of the 80 per cent. limit, and it is for authorizing borrowing in excess of that limit that the penalty is provided, no doubt as a check on the practice here so long followed of

carrying over balance of floating debts from one year to another. The penalty attaches as soon as the authority is given to borrow a larger sum than the percentage mentioned, even though such authority is never acted on. In this case the by-law was not impeached, was acted upon, and the evil sought by the statute to be checked has been carried on; and to hold that the defendants can take advantage of lack of form in by-law or excess of authority or any other ground whereby the by-law, if attacked, might be declared to be invalid in order to establish that they did not authorize the borrowing, would be to hold that the penalty could never be imposed. This, in view of the language used, I am not prepared to hold. Objection was taken that notice of motion and material used in support of it referred to the statute infringed, and which imposed the penalty, as R. S. O., cap 223, sec. 435, sub-sec. 2, without reference to 61 Vic., cap 23, sec. 16, which repealed sub-sec. 2 and enacted a substitute. I do not think the objection fatal. This repealing and enactment of the substitute is one and the same act, and so far as the town of Goderich is concerned no change was made.

I therefore find that the council of the municipality of the town of Goderich, by by-law No. 4, 1898, authorized the borrowing of a larger sum than 80% of the amount collected as taxes to pay the ordinary current expenditure of the municipality in the preceding municipal year, and that the defendant William Campbell, being a member of the said council voted for said by-law, and by so doing became disqualified from holding any municipal office for the period of two years from that date and could not be duly elected for the year 1899.

No evidence is given of actual voting on the part of the defendant Thompson, who was mayor, and from my knowledge of municipal procedure I am of the opinion in the discharge of his duty as mayor he put the questions and, each reading being unanimously carried, that is, there being no dissenting member—ascertained probably by a show of hands—he declared each reading carried and the by-law finally passed. This would be his official act and duty even if he were personally opposed to the measure, and as mayor would not be called on to vote except in case of a tie or to negative the vote by making a tie. It is not for consenting to or approving of, but for actually voting for, that the penalty is imposed, and on that the evidence is silent, and though I feel bound to hold that every member who gives his assent to, by show of hands or otherwise, and allows a motion to be carried votes for it, I cannot hold that the person putting the motion and who, though permitted, is not called on to express an opinion or vote, voted for it by simply declaring it carried. *Crane vs. Lawrence*, 15, Q. B. D., 152; *Reg. ex rel. Clancey vs. Conway*, 46, U. C. R., 85.

The result is extremely hard as to the defendant Campbell, who appears to be the only member of the council who even enquired into the regularity of the proceedings and who, as a member, was naturally satisfied with the assurance that the by-law was an exact copy of one passed the preceeding year; but the object of the legislation undoubtedly was to check the careless pledging of the municipal credit and with this view disqualifies members of council who, with or without design, with or without knowledge of the facts or of the law, voted for the authority to borrow more than the amount allowed.

The motion will be allowed against the defendant Campbell and dismissed as against the defendant Thompson. As the relator succeeded in part and failed in part and the defendant joined in their defence, I allow no costs to either party.

Sanctimus (solemnly)—Yes, the poor woman's dead. Peace to her ashes.

Flippanticuss—Cremated, hey? This world or the other?

State Aid in Road-Building.

Should the farmer alone pay for good roads? No.

Should the wealth of cities help? Yes.

"There is no more common interest than the common roads."

To the Editor of THE MUNICIPAL WORLD:

Why is state aid for good roads the only just solution of the Good Roads problem?

Because it is the only practical plan by which the general wealth of cities can be brought to bear their just share of the expense.

The country products go in to town and the city wares comes out over the same common roads.

The big towns are the farmers' best market, and the cities' great market is the vast farming community.

Why should not the resident of the city help pay for good roads to his country market, as well as the farmer to his city market?

In strict justice the city or commonwealth should pay not less than one-half the cost of improving all the leading market highways in every county.

The very existence of the town depends on the trade it receives from the surrounding country.

If good roads lessens the cost of this trade exchange and permits steady traffic uninterrupted by mud-blockade seasons, the larger the trade and the larger the margin of profit to both townsman and farmer, and the larger the purchases they will thus be enabled to make.

The hauling cost over bad roads is estimated to be 25 cents per ton per mile, and only 5 cents over good roads.

It is but fair that all who use and are benefited by good roads should help pay the cost.

The travelling representative of the city tradesman uses the common highways to visit every town, village and cross-roads store in the country in order to sell his wares, and the main highways are also used by the general public of the province.

Therefore, any plan that is designed to saddle all the cost of good roads on the farmer is evidently a most glaring injustice.

The city road reformer who wants to ride his bicycle through the country appears to think (as per recent statement in *The Globe*) that the farmer needs more "education rather than legislation," and that "the province is not ripe" for the latter.

This unrighteous plan of educating the farmer to pay all the cost for good roads for the city man's equal benefit has been going on for the past century, and the coming century will also pass before the farmer will be "ripe" enough to fully accept so one-sided a proposition.

The farmer has long been "ripe" for a just legislative enactment for good roads, similar to the renowned New Jersey State Aid Law, and it is rather the city road reformer with such unsound ideas that needs educating by the farmer in the first principles of simple justice.

True, the farmers here and there in our province, yet only "in shreds and patches," have for years back been building some creditable roads, but too many are botched stone roads and unworthy the name of macadam.

The cost of making really first-class stone roads, such as are required (a botched stone road is a nuisance) is one out of all proportion to the available property to be taxed in the sparsely settled country districts, and many farmers still in debt would lose their farms if required to pay such an extra road tax. The burden is too great to be undertaken by the farmers alone.

One acre of property in some cities is probably worth from 10,000 to 100,000 acres in the country. If it is a truism that all wealth comes originally from the soil, then all Ontario may be said to have contributed to the building up of the large concentration of wealth represented by the City of Toronto. In other words, the business interests of Toronto extend over the whole province in various forms, as represented by the newspaper, merchant, manufacturer,

banker, loan company, insurance, lumber, mining and other interests.

In like manner, except in a less degree this is the case with every city, town and village in province. All these institutions are constantly sweeping in wealth from the country. From the loan company with its semi-annual interest on hundreds of millions on farm mortgages, to the insurance lodges in every village sending in their monthly assessments, all tending to impoverish the country and enrich the town.

Can there be any plan that would better advance the well-being of the whole community—both townsman and farmer—than the returning of some of this wealth to the country, from whence it came, by way of state aid for good roads? I trow not.

The country roads system has had a degree of success, notably when large towns within their borders aided in paying the cost, it being a partial application of the principal of state or city aid. But this system is a great injustice to adjoining or outlying townships or counties that have no large towns, and which have also so largely contributed to the cities' wealth, yet have no power to tax the wealth of towns to aid them in return to improve their highways.

Where the population is not dense enough, township and county councilmen stand appalled at the cost of good roads, and are unwilling to incur heavy burden of debt unless that burden can be lightened to the former by assistance from good-sized towns.

Are not the farmers placed in an unfair position after helping to bonus the railroad with millions upon millions and which have so boomed the cities, so long as state aid is withheld from country highways? Good highways will boom the whole country as no other measure can. The writer early advocated provincial aid for good roads, before knowing of the New Jersey State Aid Law, whereby the state pays one-third the cost for improving the leading highways and the country the other two-thirds, except that 10% is paid by the property fronting on such highways. Since then this state aid principal has been adopted by the great commonwealths of Massachusetts, Connecticut, New York, Pennsylvania and other leading states, with their millions of population, and being approved by such a mighty host, the writer feels that it has been fully indicated on this continent, and is yet bound to conquer all opposition in Ontario, as soon as those who favor the good roads movement will sufficiently unite in pressing for its adoption.

The road reformers of these great states did not waste much time in futile education, but went straight for just legislation, and road improvement object lessons made swiftly popular the good roads movement.

To the \$100,000 annually voted for colonization roads, whereby some \$3,000,000 have been expended in northern Ontario within the past thirty years, we should add another similar amount or more to be drawn on by the counties in rotation as they comply with the conditions for provincial aid. Not till then will the good roads movement receive a general impetus.

J. F. BEAM, Vice-Pres.,
Ontario Good Roads Association,
Black Creek P. O., Ont.

"Good morning Mrs. Hodges. I was sorry to hear that your son didn't get the office after all."

"No miss; there was adeal o' pen work to do, and they said as 'ow anybody as couldn't write very well wasn't legible." — Punch.

Bobby—My sister is going to marry an English earl.

Tommy—Pooh, that's nothin'! My sister's engaged to a lieutenant in the United States navy.

DR.

CORPORATION OF THE TOWNSHIP OF
CASH RECEIPTS.

DATE.	NAME AND PARTICULARS.	TAXES.	MISCELL- ANEOUS.	AUDIT CHECK.	TOTAL.	DATE.	TO WHOM PAID.
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CASH PAYMENTS.

CR.

VOUCHER NO.	LEDGER ACCOUNT.	BANK ACCOUNT.			SCHOOLS.	ROADS AND BRIDGES.	DRAINAGE.	GENERAL ACCOUNTS.	AUDITOR'S CHECK.	TOTAL.	BALANCE.
		BANK DR.	BANK CR.	BALANCE.							

Re Municipal Cash-Book.

To the Editor of THE MUNICIPAL WORLD, St. Thomas:

DEAR SIR,—In your March number, you quote an article from the treasurer of Bentnick township in the *Toronto Globe*, which I endorse, every word of it and more too.

I have been annoyed very much with the size and awkwardness of this book. There is not a page used but every item on it could be recorded just as well were it half the size. It may be all right for town or city treasurers, where they have large safes or vaults to put it in for safety, and counters or desks to stand by when using it, but it is very awkward to sit at a table when using it. Our auditors, 1898, found it very much so, having to sight along the line sometimes two feet to find the check column.

There are two many useless columns for township accounts. Half the size, two feet in width, instead of four when the book is open, would be much better. Well, you say it is easy to find fault, show us a better method. I send you headings of a cash-book similar to what I was using, and I assure you I was loth to lay it aside for the new one—it is far ahead of it when you want to find an error, in balancing up with the ledger.

I hope, Mr. Editor, this will meet with your favorable consideration, that you will find it a place in your excellent journal, so that the attention of township treasurers especially, can be drawn to this matter. I think if we are united and solicit the Provincial auditor he will do away with this monster cash-book.

I am, yours very truly,

S. J. HARVEY,

Treas. Tp. Raleigh.

Charing Cross, Mar. 15th, 1899.

Scottish Municipalities

THEIR CHARACTERISTICS AND PECULIARITIES.—HOW THE SCOTTISH MUNICIPAL CODE DIFFERS FROM THE ENGLISH.

The English Municipal Year Book, which has just been published, gives a mass of information as to municipal government throughout the kingdom. There are entertaining and instructive chapters on the municipal service of gas, water, tramways, electric light, etc. The work of each coporation throughout the country

is noted, and its more important undertakings fully described. There are also some entertaining chapters on the municipal life of Ireland and Scotland.

A DEMOCRATIC SYSTEM.

The Scottish municipal code differs considerably from the English law. There is a difference in principles and practices as well as in nomenclature. The Scottish Corporations have wider duties to discharge than English Town Councils. The Scottish system is more democratic in that the Bailies—equivalent to English aldermen—are elected first in the ordinary way as councillors, and seek re-election every three years, but yet the systems maintain links connecting it with mediæval customs which do exist in England. Almost every Scottish town has its special characteristics, or its exclusive privileges or powers. Our remarks are intended to have a general application to the system as it exists in Glasgow and other large towns. Our object is to explain briefly the differences between English and Scottish town government.

ALL ABOUT THE PROVOSTS AND BAILIES.

In the first place, the head of the Scottish municipality is a Provost or Lord Provost. He holds office for three years, and not for one, as a mayor does in England. Then the Bailies are selected from the councillors after election by the people. They are not appointed for any definite period, but have to seek re-election as councillors when their three years expire irrespective to their bailiership. The Bailies are the magistrates, and sit as such in the police-courts. They are also the lisensing authority, but do not remain magistrates after ceasing to be bailies, unless in the meantime they are made J. P.'s. There are two ex-officio members in the town council, the Dean of Guild and the Convenor of Trades. In Glasgow the Lord Dean of Guild is the president of the Merchants' House. In Edinburgh the Dean of Guild represents the incorporation of the Guildry. The Deacon Convenor in Glasgow is the President of the Trades House; in Edinburgh he is the Convenor of Trades, elected by the incorporated trades.

THE OLD MERCHANTS AND TRADE GUILDS.

In both cases these officials represent the old merchant and trade Guilds which,

as such, have nothing to do with the town government, and now do little more than look after their charitable and other funds. But the Dean of Guild discharges important functions on the town council. He presides over the Dean of Guild Court—a committee of architects and practical men, who pass plans of new buildings, regulate street alignment, and practically carry out the Building Acts. The Dean of Guild Court, in Scottish burghs, is one of the recognized courts of the kingdom. Its judgments are reversible only by the Court of Session, the supreme civil court of the country. The chairmen of committees on the town councils are called convenors.

THE ORANGE COLLAR AND THE LAMP-POSTS.

The city treasurer is appointed by the town council, from among the members, for three years, and he completes his three years whether he remains all the time a councillor or not. There are several ornamental offices, which are not the same in different towns. Glasgow has a Bailie of Provan and a Bailie of the River. Edinburgh has a captain of the Orange Collar, and its Lord Provost is Lord High Admiral of the Firth of Forth. The Lord Provost of Edinburgh has two lamp-posts, with the city arms, erected outside his door, and the Bailies, the Dean of Guild, the Convenor and the Treasurer have one lamp each.

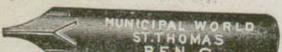
THE ORIGIN OF COMMON GOOD FUNDS.

To turn to administrative matters: To begin with, Glasgow and other Scottish towns have a Common Good Fund. In Glasgow it arose mainly from grants of lands from the Bishops and Archbishops of the See, from acquisition of church lands after the Reformation, and the accumulated surpluses of petty customs and other properties of the past, profitably invested. At one time the financial duties of the Glasgow Corporation were mainly the management of this fund. The corporation, like other Scottish municipal corporations, is in the position to be able to exercise a wide discretion in the application of this money. It is the common purse and is not under any statutory restrictions, but must always be devoted towards objects directly beneficial to the city and its inhabitants. There is no parallel to it in England except in the unreformed city corporation, which lives on its property.—*London.*

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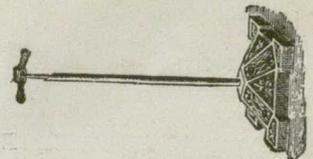


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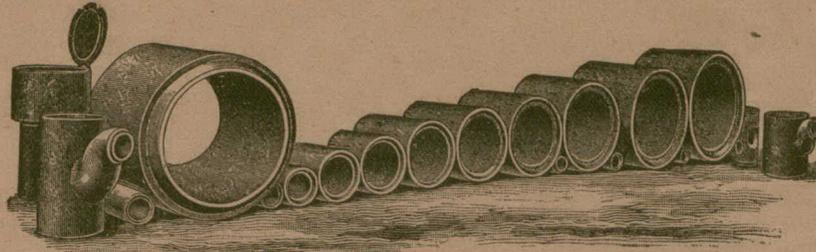
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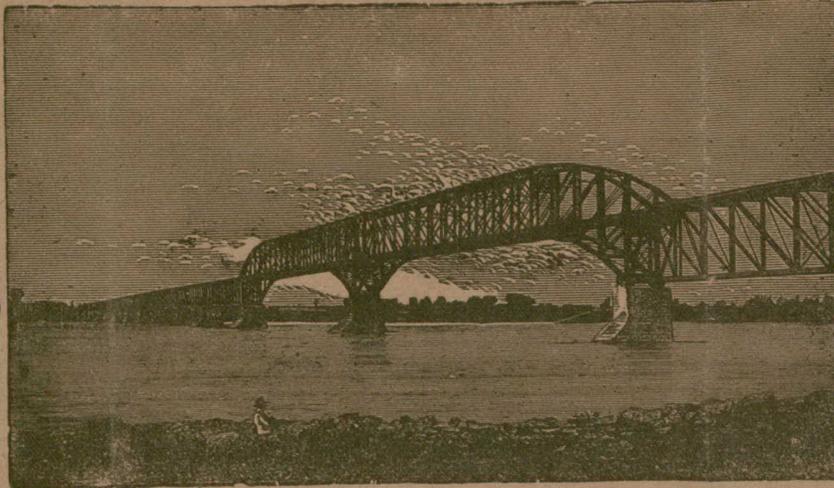
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