

The Municipal World

PUBLISHED MONTHLY IN THE INTERESTS OF

THE MUNICIPAL INSTITUTIONS OF ONTARIO

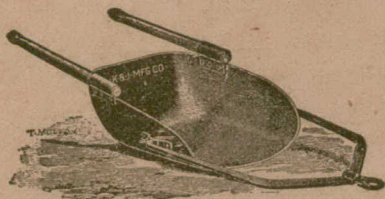
Vol. 5. No. 5.

ST. THOMAS, ONTARIO, MAY, 1895.

Whole No. 53

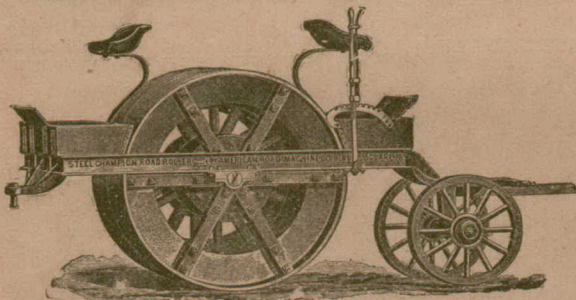
COPP'S ROADMAKING MACHINES

COPP'S DRAG SCRAPERS



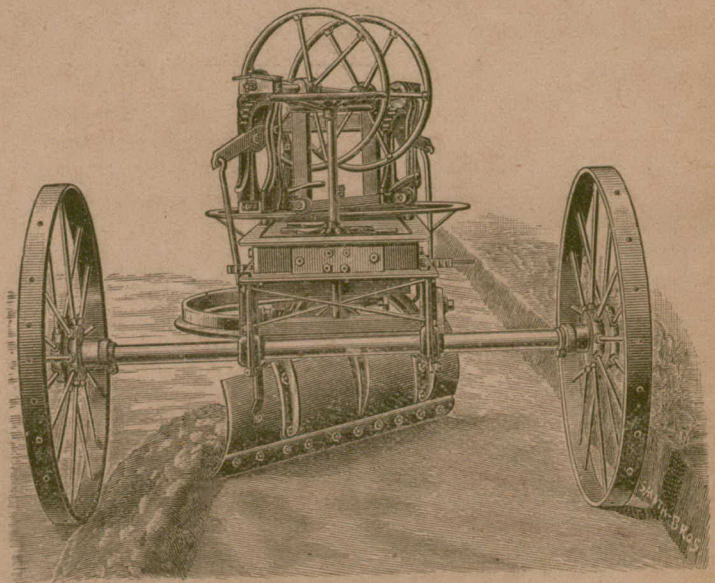
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Furnished from 2½ to 7½ tons weight.

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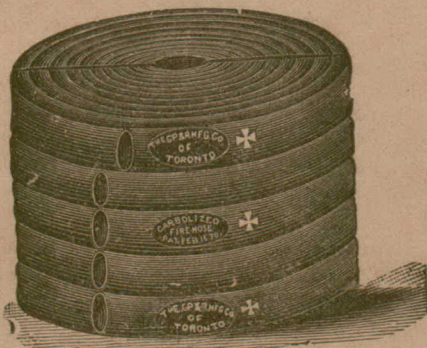
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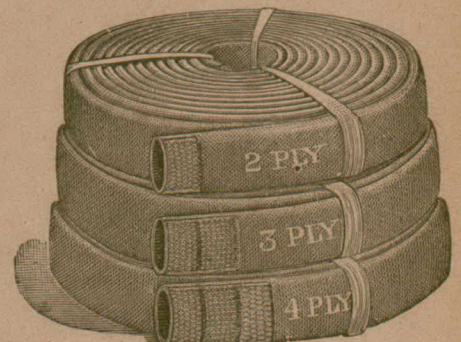
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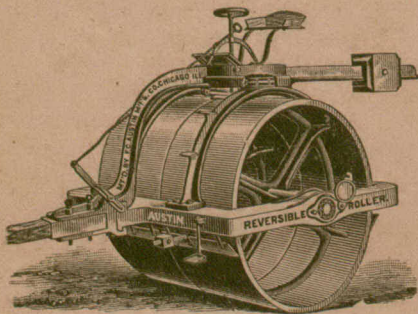
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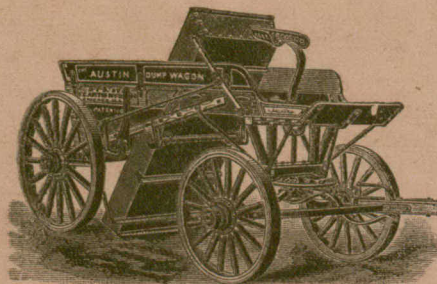
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AUSTIN REVERSIBLE ROLLER

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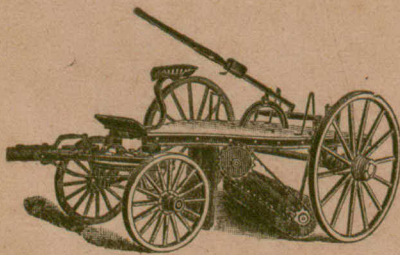
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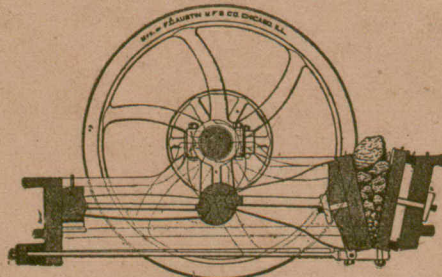
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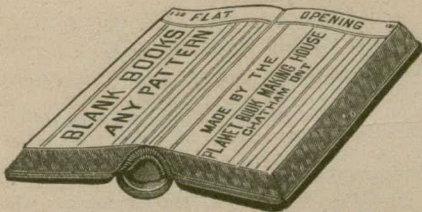
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William Newman, C. E. . .

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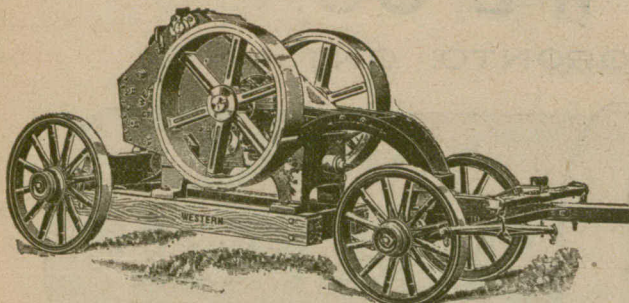


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Western Roadmaking Machinery



WESTERN STONE CRUSHER

visited towns and cities where other crushers were in operation, and finally selected the Western, not because it was the cheapest in price, but because they thought it was the best crusher tendered for, have had their judgment confirmed, and join with me in recommending the Western to any municipality or others requiring a first-class crusher. Yours respectfully, ORMSBY GRAYDON, City Engineer.

P. S.—The other crushers in competition were the Champion, Blake, Chicago and others.

Crushers can be furnished with or without screens, trucks or elevators.

MUNICIPAL OFFICERS in Ontario will consult their best interests by examining the Western Rock Crusher before deciding on the purchase of machinery for the preparation of roadmaking material. With reference to the crusher purchased by the City of London last year, the City Engineer says:

LONDON, ONT., Jan. 5th, 1895.

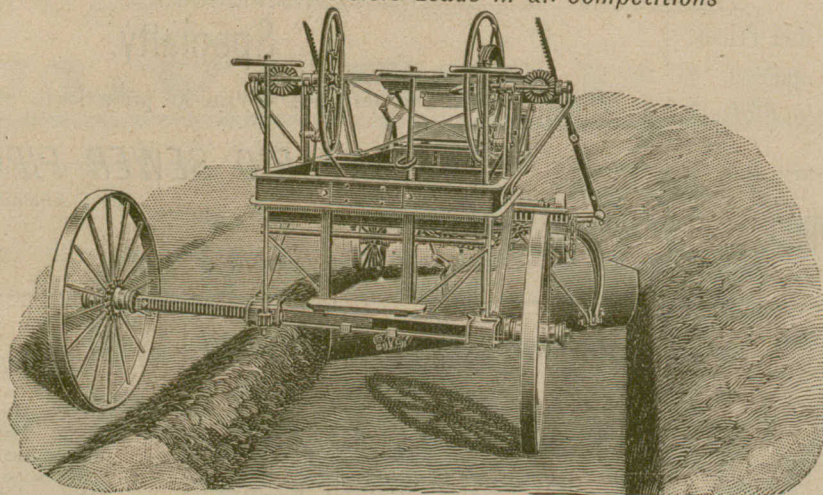
H. A. BROWNELL, Esq., General Manager Western Wheel Scraper Co.:

DEAR SIR,—The No. 10 Western Rock Crusher, bought of you last season, has proved entirely satisfactory and fulfils all claimed for it in every sense of the word. As it crushes to any size required, the product is especially adapted for the making of good roads. Since the Western has been in operation here, some seven months, it has not cost the city one cent for repairs, which speaks volumes for its first-class construction; nor have the plates or jaws, that are subject to so much wear and tear, been found necessary to replace. The committee who

The Western Reversible Leads in all Competitions

In the preparation of roadbeds for gravelling, the construction and maintenance of earth roads, and the repair of gravel roads, the Western Reversible Road Machine will do the work in the best possible manner.

All machines sold on trial.



THE WESTERN REVERSIBLE ROAD MACHINE

That these machines are the best is the opinion of those who have been using them. That they are economical is shown by the following testimonials from municipal officers. The Western Reversible is an all-steel machine.

All machines sold on trial.

TESTIMONIALS:

H. A. BROWNELL, General Manager, London, Ont.:

DEAR SIR,—We, the undersigned members of the municipal council of the Township of Burford, having witnessed the operation of your machine, the Western Reversible, on trial with the American Road Machine in this township, on the 22nd of last May, have no hesitation in saying that we consider the Western Reversible a superior machine in many respects. Although the price of your machine was considerably more, we had no hesitation in placing our order with you, and, after using it all summer, have no cause to regret it. We consider it a first-class machine, far superior to any method hereto employed by us, both as a labor-saving and economical system of building or repairing our streets or roads, and can recommend it to any city, town or rural municipality. PHILIP KELLEY, Reeve, Warden of Brant county; CHAS. VANHORN, Deputy Reeve; JOHN McCLELLAN, ADAM CROZIER, Councillors.

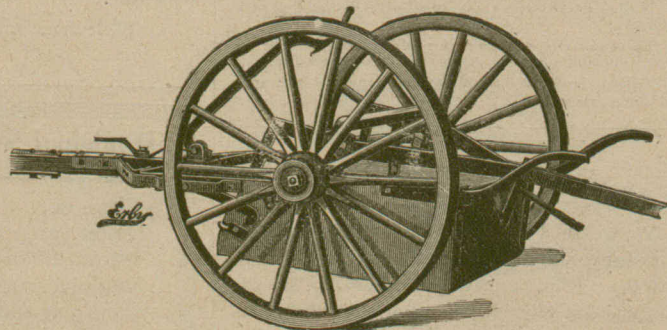
Burford, Ont., Nov. 26th, 1894.

KINGSVILLE, January 25th, 1895.

H. A. BROWNELL, Esq., Gen. Mgr., London, Ont.:

DEAR SIR,—After using the Western Reversible Machine last season, we can truthfully say that the machine has paid for itself three times over. We can further say that other road machines have been used in this township, but, in our opinion, they will not bear comparison with the Reversible Road Machine. In fact, the Western Reversible is worth more than any two machines of other makes that we have seen in Essex county. We consider that the work done by the Reversible machine was worth at least \$1,000, ordinary expenditure, to the roads in the township of Gosfield South last year. We recommend all the municipalities to examine into the merits of the Western Road Machine before placing their orders. As already stated, we have used other machines but do not hesitate to say that they are not as good as the Western, which, in our opinion, has no equal, and is the best all-round road machine in the market.

Yours truly, C. G. FOX, Reeve; R. W. SHANKS, Dep.-Reeve.



WESTERN WHEEL SCRAPER

Crushers, Rollers, Western Road Machines, Wheel and Drag Scrapers kept in stock at London. Any of these, or repairs for same, can be furnished at shortest notice. Correspondence solicited. Write for catalogue.

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H. A. BROWNELL, General Manager for Ontario, LONDON, ONT.

THE MUNICIPAL WORLD

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

Vol. 5. No. 5.

ST. THOMAS, ONTARIO, MAY, 1895

Whole No. 53

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Calendar for May and June, 1895.

Legal, Educational, Municipal and Other Appointments

- MAY.**
1. Last day for Treasurers to furnish Bureau of Industries, on form furnished by Department, statistics regarding finances of their municipalities—Municipal Act, Sec. 252.
 - Last day for passing by-laws to alter School Section boundaries.—Public School Act, Section 81.
 - County Treasurers to complete and balance their books, charging lands with arrears of taxes.—Assessment Act, Section 152.
 - Liquor Licenses to be dated from Liquor License Act, section 8.
 3. Arbor Day.
 15. Last day for issuing Tavern and Shop Licenses.—Liquor License Act, section 8.
 - Contents of earth closets to be removed on or before this date.—Public Health Act, schedule A, rule 2 of section 14.
 24. Queen's Birthday.
 31. Last day for issuing Wholesale Liquor Licenses.—Liquor License Act, section 8.
- JUNE.**
1. Public and Separate School Boards to appoint representatives on the High School Entrance Examination Board of Examiners.—H. S. Act, section 38 (2).
 20. Earliest day upon which statute labor to be performed in unincorporated Townships.—Assessment Act, section 113.



Waterman's Ideal Fountain Pen.

A reliable fountain pen is now regarded everywhere by progressive people as the most practical and convenient writing instrument—a grateful relief from the drudgery of "dip" pens and untidy inkstands. The very best fountain pen is "Waterman's Ideal."

It consists of:

A gold pen, the best that can be made.

A hard rubber holder of the best shape and the finest finish, containing an ink reservoir; and

A feed that conducts the ink from the reservoir to the pen point with absolute uniformity and certainty.

Its simple construction, the excellent materials used and the superior workmanship, make it, of all the fountain pens in the market, the one least likely to get out of order.

Price List.—Gold Pen and Plain Holder—No. 2, holds ink for 75 pages, \$2.50; No. 3, holds ink for 90 pages, \$3.50; No. 4, holds ink for 100 pages, \$4.00.

State whether you want a long or short nib pen. Address all orders, with price enclosed, to

The Municipal World, St. Thomas.

DRAINAGE FORMS.

Drainage Act Forms.

Petition of owners, section 4, per dozen	\$0 36
Oath of engineer, section 5, per dozen	20
Notice to party assessed, sec. 16, per doz.	20
Oath of member of court of revision, sec. 26, per dozen	20
Summons, court of revision, section 28, per dozen	20
Notice of complaint, section 34 or 44, per dozen	20
List of appeals, section 37, per dozen	30

Drainage Laws.

CONSOLIDATED in one book, neatly bound in cloth, complete index.
 The Drainage Act, 1894

The Ditches and Water-courses Act

The Tile Drainage Act

PRICE £0 0TS.

Forms required by the Ditches and Water-courses' Act, 1894.

"It shall be the duty of the municipality to keep printed copies of all the forms required by this Act."—Section 7, sub-section 2.

B—Declaration of ownership, per doz. \$0 20

C—Notice to owners, per doz. 25

D—Agreement by owners, per dozen

E—Requisition for examination by engineer, per dozen

F—Notice of appointment for examination by engineer, per dozen

Notice of filing award, sec. 18, per dozen

H—Engineer's certificates, per dozen

Summons, appeal to judge, sec. 26, per dozen

Full explanatory notes are printed on each form.

Address all orders to The Municipal World, St. Thomas.

The Municipal World

PUBLISHED MONTHLY

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

K. W. McKAY, EDITOR,

A. W. CAMPBELL, C. E.	} Associate Editors
H. F. JELL, Solicitor.	

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

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THE MUNICIPAL WORLD,

Box 1252, - - - St. Thomas, Ont.

ST. THOMAS, MAY 1, 1895.

Equalization.

The council of every county, before imposing county rates, and not later than the 1st of July, is required to examine the assessment rolls of the different local municipalities in the county for the preceding financial year for the purpose of equalizing the same by adding or deducting so much percentum as may, in their opinion, be necessary to produce a just relation between the valuation of real and personal property assessed in the county. In doing this, the best plan to adopt is to prepare a statement showing

- 1st, All the municipalities in the county.
- 2nd, The number of acres.
- 3rd, The assessed valuation of personal property and income.
- 4th, The assessed valuation of real property.
- 5th, The rate per acre assessed.

The valuation of assessed property is to a great extent a matter of opinion, and a just relation is needed so that county rates may be levied in an equitable manner in all local municipalities. This is left to the judgment of those who are to conduct the equalization, and who, owing to their local knowledge, are best qualified. The equalization report, as adopted, should be confirmed in the form of a by-law. If any municipality is dissatisfied they may appeal from the decision of the council within ten days. It is the duty of the councils this year to equalize the rolls of 1894, and when apportioning the county rates for 1895 to use as a basis the rolls of 1893 as equalized by the council of 1894.

Courts of Revision.

After the return of the assessment rolls, which should be on the 1st of May, or as soon after as possible, all parties assessed have fourteen days in which to enter appeals against their assessment. The first requirement of a valid assessment is that the assessor in assessing must leave for every person named on the roll as resident or having a place of business within the municipality, and send by post to every non-resident who has his name on the roll, a notice of the sum for which his real and personal property has been assessed. After the expiration of the fourteen days from the date of the return on the roll the clerk is required to give ten days' notice of the date on which the court of revision will hold its first sitting, and also to leave at the residence of the assessor a list of all complaints made against his roll and notify all persons in respect to whom a complaint has been made. When considering other appeals the members of the court may find that the assessor has, in their opinion, made errors in the assessment. For the purpose of correcting these they may extend the time for making complaints ten days later. All persons whose assessment they intend to consider should receive six days' notice, and for this purpose the assessor may be the complainant.

Candidates for office are regarded as fair game by everyone interested in the sale of picnic or ball tickets. They can hardly refuse to buy, so they have to pay a large amount of blackmail. The worm has turned in New York State. The poor candidate is to be protected hereafter. An act has passed the legislature, and has been signed by Governor Morton, making it a misdemeanor for any person to solicit money or property from any candidate for elective office in this state after nomination, or to seek to induce him to buy admission tickets to balls, picnics or entertainments. The provision does not apply to requests for contribution by an authorized representative of the political organization to which the candidate belongs.

* * *

In a recent opinion to the Wellington county council, Solicitor Guthrie stated that the waters of a lake held under deed by a private individual for his own use and benefit were liable to be assessed. This is as provided in section 2, sub-section 9, of the Assessment Act.

* * *

The problem of our schools must be more and more to make every person as valuable to themselves and to the community as possible by the training in general intelligence which they give. Inspired by a hope so lofty, every means should be used to extend and perfect the system, until right and morals are everywhere practiced and fortified.

Debenture Instalment Tables.

Showing annual payment required to discharge a debt of one dollar and its interest, also the respective amount of principal and interest annually discharged.

NO. 5.

Debentures bearing $4\frac{1}{2}$ per cent. interest, payable in five yearly instalments.

EQUAL ANNUAL PAYMENT.—227,791.		
	INTEREST.	PRINCIPAL.
1	045,000	182,792
2	036,774	191,017
3	028,179	199,613
4	019,196	208,596
5	009,809	217,982

NO. 6.

Debentures bearing $4\frac{1}{2}$ per cent. interest, payable in 10 yearly instalments.

EQUAL ANNUAL PAYMENT.—126,378.		
	INTEREST.	PRINCIPAL.
1	045,000	081,379
2	041,338	185,041
3	037,511	088,868
4	033,512	092,867
5	029,333	097,046
6	024,966	101,413
7	020,402	105,976
8	015,634	110,745
9	010,650	115,729
10	005,442	120,936

NO. 7.

Debentures bearing $4\frac{1}{2}$ per cent. interest, payable in 15 yearly instalments.

EQUAL ANNUAL PAYMENT.—093,113.81.		
	INTEREST.	PRINCIPAL.
1	045,000	048,114
2	042,835	050,279
3	040,572	052,541
4	038,208	054,906
5	035,737	057,377
6	033,155	059,958
7	030,457	062,657
8	027,638	065,476
9	024,691	068,423
10	021,612	071,502
11	018,395	075,719
12	015,032	078,082
13	011,518	081,595
14	007,847	085,267
15	004,010	089,104

NO. 8.

Debentures bearing $4\frac{1}{2}$ per cent. interest, payable in 20 yearly instalments.

EQUAL ANNUAL PAYMENT.—076,876.15.		
	INTEREST.	PRINCIPAL.
1	045,000	031,876
2	043,566	033,311
3	042,067	034,810
4	040,500	036,376
5	038,863	038,013
6	037,153	039,723
7	035,365	041,511
8	033,497	043,379
9	031,545	045,331
10	029,505	047,371
11	027,374	049,503
12	025,146	051,730
13	022,818	054,058
14	020,385	056,491
15	017,843	059,033
16	015,187	062,689
17	012,411	066,465
18	009,510	070,366
19	006,478	074,398
20	003,310	078,566

Correction.

On page 94 of this issue, the beginning of the *Municipal Amendment Act*, 1895, should read:

1. Clause a of sub-section 3 of section 17, etc.

The Assessment Amendment Act 1895.

1. Sub-section 2 of section 7a of *The Consolidated Assessment Act, 1892*, is amended by inserting in the tenth line thereof immediately after the words "water-works," the following words: "whether for domestic use or for fire protection or both," and by inserting after the word "improvements" in the fourteenth line thereof, the words "or any of them."

2. Sub-section 1 of section 27 of the said Act is amended by striking out the words "in case the council so directs" in the sixth and seventh line thereof, and by striking out the words "in cities and" in the seventh line thereof, and by inserting the word "cities" after the words "acres in" in the eighth line thereof, and by inserting after the word "exceeds" in the eighth line thereof the words "two acres in cities and."

3. Sub-section 1 of section 52 of the said act is amended by adding thereto the following: "provided nevertheless, that in cities containing a population of 30,000 or more, the assessment may be made between the first day of May and the 30th day of September, but this proviso shall not effect section 13 of chapter 82, of the Acts passed in the 54th year of Her Majesty's reign."

4. Section 76 of the said Act is amended by inserting "\$75" in lieu of "\$50" in the 8th line thereof, and by inserting in the 10th line thereof after the word "heard" the following words, "and the judge or acting judge of the county court of the county whose county town is the next nearest to the court house where the said appeal will be heard," and by substituting for the words "the said judge" in the 20th line the words "the said judges," and by striking out the words "judge or" in the 30th line of the said section.

5. Sub-section 4 of the said section is repealed, and the following substituted therefor: (4.) When three judges hear the appeal the decision of the majority shall prevail.

6. Sub-section 5 of the said section is repealed and the following substituted therefor:

(5.) The clerk with whom any money is deposited to pay the travelling expenses as aforesaid, shall pay out of the moneys so deposited, upon requisition by the judges respectively, such sums as the said judges shall certify to him as their respective travelling expenses in connection with the said appeal, and shall repay the balance, if any, to the person or corporation who deposited the same, and each of the said outside judges shall be entitled to be paid a sum not exceeding five dollars per day for their services, the sum so paid to them to be part of the costs of the appeal and payable by such party as the majority of the judges hearing the appeal shall determine.

7. Sub-section 1 of section 124 of the said Act is amended by adding thereto the following:

Provided nevertheless that no goods which are in the possession of the person liable to pay such taxes for the purpose only of storing or warehousing the same or of selling the same upon commission or as agent shall be levied upon or sold for such taxes; and provided further, that goods in the hands of an assignee for the benefit of creditors or in the hands of a liquidator under a winding up order shall be liable only for the taxes of the assignor or of the company being wound up and the taxes upon the premises in which the said goods were at the time of the assignment or winding up order, and thereafter while the assignee or liquidator occupies the premises or the goods remain thereon.

8. Section 2 of section 143 of the said act is amended by striking out the words "1st day of July" in the second line thereof, and substituting therefor the words "15th day of September."

9. The said act is amended by adding thereto the following sections:

216a. It shall not be necessary to procure the assent of the ratepayers before the passing of the by-law authorized by section 215.

216b. The council may by by-law direct that all moneys received by the county treasurer from the proceeds of the sale of such debentures shall be paid in such manner and at such times as may be directed by such by-law to such municipality or municipalities, as to the council may seem proper, provided that the whole sum, ordered by such by-law to be paid to any such municipality, shall not exceed two-thirds of all arrears, at the date of the passing of such by-law, due and accruing upon the lands in such municipality, together with such other sums as may be in the county treasurer's hands, or otherwise invested to the credit of the said fund received from and on account of the taxes due upon the lands in such municipality.

216c. The treasurer shall pay the proceeds of the sale of said debentures to such municipality or municipalities within the county as may be directed by such by-law.

A curious case is reported in the proceedings of a recent meeting of the township council of Brock:

Mr. Wm. Amey, concession 10, poundkeeper, had received a horse to impound in the regular manner for running at large. After the horse had been taken out of pound, it died. The owner brought an action against Mr. Amey for the value of the animal, and the court awarded the price of the animal together with costs, making a total of \$63.97.—*Usbridge Journal*.

Judging from the facts before us, this appears to have been a strange verdict.

The council, after considering the matter, granted Mr. Amey a cheque for the amount. It will be difficult to secure efficient poundkeepers if they are to be made liable for the value of animals dying either before or after removal from the pound.

QUESTION DRAWER

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

W. F. B.—1. Is it legal for an elector in Ward 1 of a town divided into wards, to propose or second the nomination of a candidate for member of the municipal council for Ward 2, in which latter ward such proposer or seconder is not an elector?

2. If the council of a town buy supplies from a member, is the transaction legal? If illegal, does it disqualify the member?

3. Can a member of the council charge the corporation for making repairs to property belonging to the corporation on request of the proper committee?

1. Yes; unless places have been fixed by by-law of the council of the town in each ward, at which the electors are to meet to nominate candidates for the office of councillor. See section 109, Consolidated Municipal Act, 1892.

2. The transaction is legal so far as the council is concerned, but it would operate to disqualify the member.

3. He can charge the corporation, and can legally make the repairs and collect his wages for so doing, but he would be disqualified as a councillor.

See section 2 of the Municipal Act of 1895 in this issue.

RATEPAYER.—What books is the clerk of a council obliged to shew to a ratepayer?

An argument has arisen with us on this subject. Some claim that a ratepayer can demand to see ALL BOOKS that the clerk and treasurer of a municipality has to keep—minute, by-law and poll books, ledger, day and cash books, voters' lists, etc., etc. See chapter 42, sections 243 and 247, R. S. O.

Others, that a ratepayer is only entitled to ask to see the books mentioned in section 247, the minute books, accounts kept on file, records, etc., and not the ledgers, day and cash books. If the former argument is correct, why was the act amended in 1893, chapter 35, section 5 and sub-section 2, if section 247 allows ANY ONE to see and examine ALL the books?

Any person has the right to inspect any book, paper or document in the possession or under control of the clerk, which is the property or a record of the municipality. Such books, papers and documents belong to the corporation as trustees for the people. They are of a public nature, and the clerk is of the same, by virtue of his office. The amending sub-section lastly quoted by our correspondent has reference to treasurers, and not to clerks.

J. B. F.—Will you kindly state how you arrived at the conclusion given in your answer to the second question of J. H. in February number of THE MUNICIPAL WORLD respecting nominations?

Suppose the election is for a member of the municipal council for one ward only of a town, and the nomination is held in that ward, what meaning has the word "electors," as mentioned in sections 107 and 109 of the Consolidated Municipal Act, 1892, in relation to such election?

See answer to W. B. F. in this issue.

J. W.—In the annexed sketch the lots A, B, C, etc., lettered in black, were included in an assessment for the construction of a drain, under the Drainage Act. The lots lettered A, B, C, etc., in red, are using the drain so constructed for an outlet for their water, and have not contributed in any way towards its construction. Will you please let me know how to proceed to have them brought in under section 590, Municipal Act, as consolidated 1892 (page 495), to pay for the benefit they are getting of it. Drain was constructed in 1893 and 1894.

The proceedings to be taken are laid down in sub-section 4 of section 3 of the Drainage Act, 1894. An application to your council, instructions by the council to their engineer to examine and report, passing by the council of a by-law under the act, the holding of a court of revision, etc., would all be necessary. In short all the formalities and powers laid down in said act for the construction of a drain are to be observed, except the obtaining and presentation to the council of the petition set out in section 4 of said act.

NEMO.—What time is allowed for appeals to court of revision after return of assessment rolls in municipalities in the districts of Muskoka and Parry Sound? Is it one month (R. S. O., chapter 185, sections 21, 22 and 23) or fourteen days? (Consolidated Assessment Act, section 54, sub-section 2.)

The time mentioned in section 22 of chapter 185, R. S. O., 1887, is the proper time, namely, one month.

C. B.—A man dies without a will, leaving a widow, one son and two daughters. Have the widow and daughters a right to be put on the Voters' List, the property being assessed to the son?

2. As stock is exempt from assessment is it the duty of the assessor to assess for any personal property of any kind? or is it customary for rural municipalities to assess personal property?

3. If the assessor has assessed for personal property, has the court of revision the power to strike it off the roll?

1. If the names of the widow and daughters are on the assessment roll, the clerk can put them in part two of the Voters' List, if the value of the property is sufficient, and if they are not on the roll, they can apply to be put on the list at the court held for the revision of the Voters' List.

2. Sub-section 14a of section 7, of the Consolidated Assessment Act, exempts all horses, cattle, sheep and swine, owned and held by the parties therein mentioned, and sub section 22 of said section exempts the net personal property of any person, provided the same is under \$100 in value. Anything over and above these is assessable. In the writer's experience it is not customary for rural municipalities to assess personal property, except stocks in stores.

3. Yes, if the court considers it an improper or unjust assessment.

G. B.—If the taxes in any municipality are not collected by the first of February, according to section 132, Consolidated Assessment Act, and the collector is authorized to proceed and collect (section 133, same Act), are the collector's sureties still held responsible to the amount of their bonds?

Yes. See the latter part of sub-section 2 of the section last quoted by our correspondent.

T. B. C.—A party digs a drain on the street, getting permission from the council to dig said drain. A neighbor wishes to tap said drain. Can he do so without the permission of the man that dug the drain? If he can, must he pay for the privilege or not?

Yes; the drain is on the highway and evidently a public drain. If there is any dispute amongst the parties, proceedings should be taken under the Ditches and Watercourses Act, 1894, so that the making and maintenance of the drain would be properly apportioned amongst all parties interested.

J. K. W.—Is it legal for a township council to abolish the tax on dogs and bitches as far as regards their own municipality?

2. If a township council has done so, are they or are they not still liable to Mr. B. for two-thirds of the damages sustained by him, by the killing and worrying of some sheep owned by him caused by dogs unknown to him?

3. Does the fact of no dog tax being collected in a municipality relieve that municipality from any liability to pay damages for sheep killed by dogs?

1. Yes, on the petition of twenty-five ratepayers. See section 2, of chapter 62, Ontario Statutes, 1890.

2. Yes, if the council passes a by-law pursuant to section 8 of R. S. O., chapter 218, they would be liable only to the extent of the sum to the credit of the dog fund, at the time of passing the by-law, or at the time it comes into force.

3. No.

J. W.—1. Considerable property in the township of Chapman is owned by, and assessed to persons who reside in the district of Parry Sound, but who do not reside in the said township. Should the clerk in preparing the voters' list for said township, place the name of such persons in part one of the list or not? *i. e.* Are they entitled to vote in respect of such property at elections to the Legislative assembly?

2. Should the above mentioned persons be placed on the lists as jurors, if they are not exempt or otherwise disqualified? Such a person as I have just mentioned appealed against the Voters List of 1892, his appeal was allowed, and his name was placed in part one of the list by the Judge.

1. No.

2. No.

F. H.—The clerk in this township in 1894 had the assessments of two farm lots, which belonged to school section 9, counted in with the assessment of school section No. 4. After the trustees of school section No. 9 found out the mistake, they applied to the council for the amount these two lots would have realized towards their taxes. The council paid the amount out of general funds and ordered such amount to be charged against school section No. 4 to be levied this year. Now, has the council power to collect such amount this year from this section, over and above the special rate?

Yes. School section No. 4 has had the benefit of the school taxes against these lots, and should reimburse the municipality. Section 7 of the act to amend the school laws, passed this year, authorizes municipal councils to correct error in collections of school rates in former years.

W. D. McL.—1. Is it legal for one man to hold (a) the offices of pathmaster and pound-

keeper or fenceviewer? (b) Is it legal for a tax collector to hold any of the above offices?

The fenceviewers receive two dollars per day and mileage while actually engaged, and the poundkeepers receive their fees for any stock that may be impounded.

2. Can the owner of the land adjoining a highway, when the road is blocked with snow, refuse to allow a road to be opened through his fields, and if he cannot, can he claim damages from the council for the same? A great many complain that they get their fields seeded with wild oats and other noxious weeds by so doing.

1. (a) Yes. (b) Yes.

2. Yes. It is the duty of the council to cause the accumulation of snow to be removed from the highway with due diligence. He cannot claim damages from the council.

C. H. L.—Can collection of dog tax be enforced at the time of assessment? Any information on this subject will be appreciated.

No. Unless a by-law be passed pursuant to section 489, sub-sections 15 and 16, of the Consolidated Municipal Act, 1892, as amended by section 17, chapter 35, Ontario Statutes, 1893. A by-law of this kind provides for the giving of a tag to the owner or harbinger of the dog at the time of its assessment on payment of the tax to the assessor or collector of dog tax, if any appointed.

J. S. B. C.—A sideroad not in general use, some ratepayers in that section want it closed, others do not. Have the council any jurisdiction in the affair? Can they close or sell it if they desire?

Yes, the council have jurisdiction in the matter. The preliminary steps to be taken are set forth in section 546 of the Consolidated Municipal Act, 1892. If any action is contemplated by the council, they should keep in view sections 542, 543 and 544 of the said act.

The question of utilizing the pasture afforded by the road sides has been solved in some municipalities where they issue tags to persons desiring to pasture cattle thereon. In the proceedings of a recent meeting of the North Dumfries council, as published in the *Galt Reporter*, the following letter from the clerk of the township of Blenheim, in regard to the "tag system" in that township was read:

"The 'tag system,' as we call it, has given almost general satisfaction. It has been growing in favor from year to year. It brings in quite an income (about \$400 yearly) and gives poor people cheap pasturage, while it is not class legislation, as the rich can buy tags if they choose, and some of them do so. We also find it an advantage in having the grass along the roads eaten off. We were afraid at first that cattle would destroy the trees, but there have been no serious complaints on that score. You should by all means see that the by-law is carried out so far as keeping cattle in at night, especially about villages, as that is the time cattle get into gardens and do mischief. I would also advise that the time limit be from May 1st to November 1st. This would suit best for early springs and late falls."

ENGINEERING DEPARTMENT.

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

Meters.

There is a fallacious idea entertained by many, that with abundance of water supply all restriction on the use and waste of water should be withdrawn. The experience of many years has demonstrated, that with the many modern appliances for drawing and using water in houses, a withdrawal of all restrictions would be followed by such enormous waste either through neglect, thoughtlessness or want on lavishness, that even a larger supply than our water shed could furnish, would be so crippled that the honest consumer would soon suffer through insufficient supply. The evil effect would be general, as well as local. In many cases the local effects of water are brought to the attention of the department by the complaint of tenants on the upper stories of houses, that they are unable to get a fair water supply or any water at all. In a large majority of these cases the cause is found to be excessive waste on the lower floors. In like manner, excessive waste in one building or a group of buildings deprives the immediate neighborhood of its full supply. Leaks in defective plumbing in houses are a greater cause of waste than all other causes combined. Many a house owner and tenant has discovered that, to his sorrow on the presentation of bills at meter measurement and meter rates. The water meter thus becomes the most efficient detective and preventive of waste. The house owner who from false economy, penuriousness, or neglect, uses cheap and flimsy plumbing, or lets his plumbing become and remain in leaky condition is rightfully subjected to the penalty of paying for the water wasted. The honest and careful householder who provides good plumbing, looks after it and uses proper precaution against waste, finds that his meter bill runs no higher than the bills which he had to pay before he was compelled to have a meter.

Good Road Pointers.

Do a little to your roads each year, but do that little well.

Ditching and draining to dispose of water, the persistent enemy of good roads, ought to have careful and vigilant attention.

Road overseers, who have charge of making our roads, are too often inexperienced in making plans or in directing road construction and road repairs.

Trained roadbuilders, working from definite plans, will eventually educate the farmers to be competent roadmakers.

Too much care cannot be bestowed on the foundation of roads.

Pumping Machinery

The work required in a pumping station is of necessity, severe and exacting to an extreme, inasmuch as the safety convenience and comfort of the entire community depends upon it. It is therefore important that the pumping machinery should not only be durable, simple and accessible, but that it should be so constructed as to best merit all the requirements, including greatest efficiency, economy in operation and a reasonable first cost.

There are many types of pumping machinery in the market, so that with the proper adoption of a pumping engine to its work, a selection can be made that will assure the most satisfactory results. Costly errors often if not always follow such attempts as are frequently made to reach excessive results, which a very moderate extent of information would have convinced purchasers were entirely unattainable within the scope of practical steam engineering.

The first and most important duty of a pumping engine is to pump water, and to do so continuously, steadily and with certainty. The cost of the pumping machinery alone, generally does not exceed ten per cent. of the total cost of the water-works plant; therefore it logically follows, that the first cost of such machinery is of considerable less importance than its quality; it also follows with equal logic, that after putting ninety per cent. of a certain sum of money into pipes, hydrants, valves, etc., it is folly to allow the remaining ten per cent. to represent anything less than the very best pumping machinery.

Coming directly into contact with the pumping engine problem the first question is reliability. That settled within reasonable limits, that engine is to be preferred which in the course of several year's experience represents the least money expended in proportion to useful work done. In making up this statement of account the principal items are repairs, fuel required for the pumping, interest on cost of engine, and first cost of the machinery and appurtenances, their relative importance being in the order stated. The reliability of the engines being conceded equal, the engine representing the lowest total sum expended for the indicated years is the cheapest. In considering this matter there is a very natural tendency to attach the most importance to those that are the easiest seen, although something equally important or still more vital may lie under the surface unobserved except by an experienced eye. Men are liable to ride hobbies in one direction only, instead of considering the question in all its bearings and for the best general results. Of all the factors which come in for consideration, there is no single one which attracts as much attention as the item of fuel consumed, or in other words as the economic duty of the engine; that is the quantity of water pumped for a given amount of fuel.

The Perfect Road.—Showers Blessings
Right and Left as it Wends
Its Silent Way.

The following extract is from a speech delivered at the Minnesota good roads convention :

Every one's income is divided into two parts. One of these he is compelled to make use of in supporting existence; the second part is disposed of in the way which his judgement tells him will be best. This leads to the inquiry whether our surplus is judiciously spent. Are we buying the greatest amount of comfort and permanent good with the portion left at our disposal? Would not model roads be of greater benefit than our tobacco, liquor, tea, circus and other show moneys bring? Would they not more than balance the good times we have hauling our produce through rough miles of mud, at such fearful cost, in extra labor, repairs, horses, oats, in wear and tear of conscience and damages to character?

It is certain that bad roads make weak, struggling churches and poor, ill attended, lifeless schools. They necessitate a life of seclusion which walls the path of social progress.

To sum up, a perfect highway is a thing of beauty and a joy forever. It blesses every home by which it passes. It brings into pleasant communion people who otherwise would have remained at a perpetual distance. It awakens emulation, cements friendship and adds new charm to social life. It makes the region it traverses more attractive, the residences more delightful. It stimulates a spirit of general improvement. Fields begin to look tidier, shabby fences disappear, gardens show fewer weeds, lawns are better kept, the houses seem cozier, trees are planted along its borders, birds fill the air with music, the world seems brighter, the atmosphere purer. The country is awake, patriotism revives, philanthropy blossoms as selfishness fades and slinks from view. The schoolhouse and the church feel the magic influence—the wand of progress has touched even them, the old are young again, the young see something now to live for, and to all life seems worth the living. The daily mail reaches each each home. The rural cosmopolitan "feels the daily pulse of the world."

That was a good rebuke which an English bachelor is accredited with giving his sister, who wrote asking him to look up a governess for her daughters, enumerating the list of talents and virtues she would require, on a salary of \$400 a year: "I'll look out for one, certainly," he wrote in reply, "but if I find a lady all that you describe, I shall marry her, if she will have me."

Farm Drainage.

It is almost essential to the efficiency of drains, that there be fall enough beyond the outlet to allow of the quick flow of the water discharged. At the outlet, must be deposited whatever earth is brought down by the drains; and in many cases the outlet must be at a swamp or pond. If no decided fall can be obtained at the outlet there must be care to provide and keep an open ditch or passage so that the drainage water may not be damned back in the drains. It is advisable even to follow down the bank of the stream or river so as to obtain sufficient fall rather than have the outlet flooded, or back water in the drains. There still may be cases where it will be impossible to have an outlet that shall be always above the level of the water or pond which may receive the drainage water. If the outlet must be so situated as to be at times overflowed, great care should be taken to excavate a place at the outlet into which any deposits brought down by the drain may fall. If the outlet be level with the ground beyond it, the smallest quantity of earth will operate as a dam to keep back the water. Therefore at the outlet in such cases, a small well of brick or stone work should be constructed into which the water should pour. There, even if the water stands above the outlet, will be deposited the earth brought along in the drain. The well must at times, when the water is low, be cleared of its contents and kept ready for its work.

The effect of back water in drains cannot ordinarily be injurious, except as it raises the water higher in the land and occasions deposits of earthy matter and so obstructs the drains. I have in mind now the common case of water temporarily raised by winter flowage or by summer freshets.

It should be remembered that even when the outlet is under water, if there is any current in the stream into which the drain empties, there must be some current in the drain also; and even if the drain discharge into a still pond there must be a current greater or less, as water from a level higher than the surface of the pond presses into the drains. Generally then, under the most unfavorable circumstances we may expect to have some flow of water through the pipes and rarely an utter stagnation. If then, the tiles be carefully laid so as to only admit well filtered water there can be but little deposit in the drain; and a temporary stagnation even will not injure them, and a trifle flow will keep them clean. Much will depend as to the obstruction of drains in this, and indeed in all cases upon the internal smoothness and upon the nice adjustment of the pipes. In case of the drainage of marshes and other lands subject to sudden floods, a flap or gate is used to exclude the water or flowage, until counterbalanced by the drainage water in the pipes.

We are quite sure that it is not in us a

work of supererogation to urge upon our farmers the importance of careful attention to this matter of outlets. This is one of that class of things which will never be attended to if left to be daily watched. We Canadians have so much work to do that we have no time to be careful and watchful. If a child falls into the fire we take time and snatch him out. If a sheep or ox gets mired in the ditch we leave our business and fly to the rescue. Even if the cows break into the corn all hands, men and boys, leave hoeing or haying and drive them out. And by the way the frequency with which most of us have had occasion to leave important labors to drive back unruly cattle rendered lawless by the neglect of our fences, well illustrates a national characteristic. We are earnest, industrious and intent on doing. We can look forward to accomplish any labor however difficult, but lack the conservatism, which preserves the fruit of our labors—the old foggism which put on its spectacles with most careful adjustment after wiping the glasses for a clear sight, at stated periods revises its affairs to see if some screw has not worked loose. A steward on a large estate or a corporation agent paid for superintending and inspecting may be relied upon to examine his drainage works and maintain them in repair; but the farmer in this country who labors with his own hands has not time even for this most essential duty. His policy is to do his work now while he is intent upon it, and not trust to future watchfulness.

We speak from personal experience in this matter of outfalls. We have seen drains ran down into a swamp, and the fall was so slight that the mains were laid as low as possible so that at every freshet they are overflowed. The owner many times each season has been compelled to go down with spade and hoe and clear away the mud which has been trodden up by cattle around the outlet. Although a small stream flows through the pasture, the cows find amusement, or better water about these drains and keep you in constant apprehension of a total obstruction of the works. Prevent this by connecting the drains together and building one or more reliable outlets.

There are many species of vermin both creeping things and slimy things that crawl which seem to imagine that drains are constructed for their special accommodation. In dry times it is a favorite amusement of moles, mice, and snakes to explore the devious passages, thus fitted up for them, and entering at the capacious front door, they never suspect that the spacious corridors lead to no apartments, that their accommodations as they progress grow fine by degrees and beautifully less, and that there are houses with no back doors or even convenient places for turning about for retreat. They persevere upwards and onward till they come in more senses than one to an untimely end. Perhaps stuck fast in a small pipe tile they

die a nightmare death or perhaps overtaken by a shower of the effect of which in their ignorance of the scientific principles of drainage they had no conception, they are drowned before they have time for deliverance from the strait in which they find themselves, and so are left as the poet strikingly expressed it "to lie in cold obstruction and to rot."

In cold weather, water from the drains is warmer than the open ditch, and the poor frogs reluctant to submit to the laws of nature, which requires them to seek refuge in mud and obvious sleep in winter, gather round the outfalls as they do about springs to bask in the warmth of the running water. If the flow is small they leap up into the pipe and follow its course upward. In summer the drains furnish a cool and shady retreat from the mid-day sun, and they may be seen in single file, by scores, at the approach of an intruding footstep, scrambling up the pipe. Dying in this way affects these creatures as sighing and grief did Falstaff, "b'ows them up like a bladder," and like Sampson, they do more mischief in their death than in all their life together. They swell up and stop the water entirely, or partially dam it so that the effect of the work is impaired.

To prevent injury from this source there should be at every outlet a grating or screen of cast iron or of copper wire to prevent the intrusion of vermin. The screen should be movable so that the accumulation in the pipe may be removed. A coarse wire netting, a screen which is attached to the pipe by a hinge of wire is sometimes used. Holes may be bored with a bit through even a hard tile or a number 9 wire may be twisted firmly round the end of it and the screen thus secured. This is only better than none but it is not permanent, and we hope to see some successful invention that may supply this want. So far as we have observed no such precaution is used in this country; and in England farmers and others who take charge of their own drainage works often run their pipes into the mud in an open ditch and trust the water to force its own passage.

He Was Very Sensitive.

A man, born and brought up in Illinois, and who had never travelled on any but dirt roads, spent a month in the east not long since, and while there did some driving on a macadam road of the first class. He did not like that kind of a road, he said. It was too solid and too noisy.
—Exchange.

When the sheriffs of London are formally presented to the Queen's remembrancer, they annually hand over to him (as the representative of the sovereign) a bill-hook and a hatchet, by way of "service" for a piece of waste land in Shropshire, of which they are the de-jure tenants and occupiers.

Sewers.

The designing of a system of sewerage is often contemplated and requires special treatment in each case. The objection to using streams and rivers for disposal, is in many cases fatal and methods of purifying sewerage are required. Chemical, broad or intermittent filtration are used, the first being generally too expensive for small cities while the second is less costly and can be made nearly as effective. The question of combined or separate systems for small cities is now quite positively decided in favor of the latter. It is not necessary to repeat the well-known arguments used by the advocates of each system. The system now designed for nearly all cities of moderate size, and often of large ones, is based on the plan of providing for house drainage almost exclusively, subsoil drains are sometimes connected and where found necessary or expedient, storm water is admitted. The best results are obtained by cities when they can secure a well designed system covering the entire present and prospective area, if possible, with outfall so placed that no nuisance or injury to water supply can result. If storm water sewers do not empty into large streams it is a good plan to have an intercepting sewer, intercept their dry weather flow and carry or connect it with the outfall main of the sanitary sewers. The necessity of securing good work at a minimum cost is especially applicable to small cities, where the burden of public improvements is most severely felt. In order to secure this object, the plans and specifications must provide for the necessary work at the least cost. As an illustration of the contrary the following is given: In a city of some five thousand population, a main sewer of brick was constructed, one and one-half miles in length, with a uniform grade and section throughout. The unnecessary expense of such construction was considerable as the upper end of the sewer received but a slight portion of the drainage as compared with the lower end. Subsequently a complete system for the city was designed, but it was too late to remedy the error made by the failure to have a system designed before commencing to build. Even large city sewers are constructed without a complete system to work from, the work being designed in piecemeal, and consequently defective—some sewers too small, others too large. Plans in reference to construction of brick sewers are often unnecessarily expensive.

The question of single or double ring brick for various sizes of sewers is not decided, at least not in practice. Considering strength alone, it is perfectly safe in firm soil to construct good brick sewers of three or three and one-half feet in diameter with a single ring, and as experience shows, sewers of four and four and one-half feet have been constructed and stood for years. With these facts it seems extravagant to use two ring brick on sewers

of two feet or even two and one-half feet in diameter in good soil as is done in places—the difference in cost is from fifteen to twenty-five per cent. of the entire cost of the sewer and unless some great advantage can be shown by using two rings, the extra expense is unwarranted. In soliciting bids for sewer work, prices per lineal foot for various sizes are requested, regardless of the character of excavation which the bidder is required to determine for himself. In some instances, however, bids are received for rock excavation, if any, in case the engineer has made an estimate of the amount of rock, a just comparison of bids can be made, but much contention between the engineer and the contractor can be avoided by adopting the first and more general method. Where bids for rock excavation are requested, and no amount specified, as was the case in a large sewer contract, lately awarded, injustice was done to both city and the actual lowest bidder. The party securing the contract bid lowest on sewers but high on rock excavation, namely, \$5 per cubic yard; the other bid somewhat higher on the sewers, but only \$1.15 for the rock. From actual knowledge of the amount of rock in the work the city will pay at least \$10,000 more than if it had awarded the contract properly. Where unsafe foundation is anticipated, it seems proper to provide in the specifications that all extra material, as brick, plank or concrete, ordered to be used, in addition to what the plans call for, should be paid the contractor at a figure determined by the engineer in charge. This is generally done, but its omission occasions uncertainty in the minds of bidders, and can be made an unfair burden on the contractor.

Frequently it is found preferable in case of a very wide street, to place a lateral sewer along each side of the street for convenience of house connections, being more economical than one central sewer. The plan, however, of placing a lateral alongside of a main sewer or above in the same trench, I consider both unwise and a useless expense. No harm is done to main sewer by proper house connections, if Y's are placed where needed; and if the main sewer is considered too deep, or in a rock cut, I would advise carrying up house connections from side of main sewer in the same trench, nearly vertically, until a proper height is reached. The question of the maximum size of tile pipe for sewers is not settled. Practice limits it to twenty-four inches. Many cities specify brick for sewers over fifteen inches in diameter. The cost of a twenty-four inch brick sewer is less ordinarily than that of a twenty-four inch tile, but when ease of construction, increased flow, less sediment, and more imperviousness are considered we find the majority in favor of tile.

Great care, however, is required in securing the best material and in laying them.

Municipal Farms.

During the recent industrial paralysis, the number of persons in Detroit requiring relief from the city authorities become so great that Mayor Pingree endeavored to find some way in which employment could be furnished to as many as were willing to work, and the strain on the city treasury might to that extent be lightened. It occurred to him that a great deal of the vacant land in the suburbs of the city, "held for a rise," might, if permission were obtained from the owners, be temporarily turned into potato farms. When his proposal was broached, many parcels of land were cheerfully placed at his disposal. The experiment was an entire success. It was proven that the great majority of the unemployed poor were willing to work, and merely needed guidance and opportunity. One very noticeable result of the scheme, it is said, is that it has drawn the attention of many poor people in the city to the desirableness of country life. They have had an introduction to its attractions, and they have tested its capability of affording remunerative employment for their mental and physical energies. The Pingree idea has rapidly extended to other cities. In the vicinity of Buffalo five hundred acres were turned to account last summer in the same manner as at Detroit. Every city, of course, has its own method of regulating the details. The Buffalo plan is to give each man charge of one-third of an acre, and let him work it during the summer. The men receive aid from the poor department just as if they were not working. At the end of the season, if they have kept at their work, they are paid for it in potatoes; if they have deserted it, they get nothing. In Rochester, where a beginning is to be made this spring, every man who applies for assistance will be given two days' work at the farm, and for this they will be paid in provisions from the poor store. At the end of the season the potatoes will be gathered and stored for use by the department. By this plan only men willing to work will be helped. Those who refuse to take a hand at the potato-raising will be dropped from the overseers' books, and will receive no relief from the department. In this province, fortunately, very few of the extremely poor need be idle during the summer months. If much more ought to be done than can be done at the House of Industry, many farmers in the neighborhood of the cities doubtless would be glad to get even inexperienced help.

AT THE HAIRDRESSER'S.—A barber, after applying some sticking plaster to a gash made with the razor, prepared, nothing daunted, to continue the operation. Customer—I only fight up to first blood. The duel is at an end; let us shake hands.—*Il Motto per Ridere.*

Our Roads.

For the last four years we have been working on this question with a view to arousing the people to a sense of its importance, and if possible, convince them that the work of road building would do more to lift them into prosperity than any other work to which they could direct their energies. We have obtained from nearly every township in the province, returns as to the present expenditure for road purposes, and an average for a number of years past, also statements as to the amount of statute labor performed each year. In return for which they practically receive nothing. This has been going on for nearly a century. If the amount which has been sunk in this manner could be ascertained, it would startle even the most plegmatic of our citizens.

The job of making a ditch in a low part of the road is let for fifty or one hundred dollars, no proper outlet is made for it into the adjoining property, it holds its full of water, and after a couple of winters the action of the weather and stagnant water causes the sides to slip and in a short time the ditch is filled up. Another job is let for grading a piece of road, when the foundation is not first drained, the travel on it in the wet season makes it as bad as ever. Gravel of all qualities is hauled on the road and dumped in the quagmire, soon to be lost sight of. In other instances it is put on so thinly as to be of no use. When convinced of this an extravagant quantity is used, the wheels are allowed to rut it while loose, no further attention is paid to it, and in a short time deep gutters are formed where the wheels travel; rains fill these gutters; heavy traffic cuts through and it is damaged rather than improved. In many cases large sums of money are expended for gravel, which, owing to the amount of earthy substances among it, makes the road worse than it would be if this material had not been put on, but the natural soil of the road-bed properly drained and rounded up. Culverts are constructed of perishable material, which on account of its exposure to the varying changes of wet and dry, collapses in a short time under a load, and not only the cost of a culvert but large sums for damage are wasted. Small timber bridges are constructed in ravines and high and expensive grades are made at either end, without any knowledge of the great pressure of the embankment, and the weakness of the structure which in many instances collapses before the contractor has reached home with the peoples large draft. Hundreds of dollars are expended in cutting down hills, where if the proper pains were taken in laying out the road, it could be deviated from a straight line, hills skirted, the ascent made easier and the large cost of reducing the grade, together with the subsequent cost of keeping the gutters open, and repairing

the damage done by the water and frost would be saved. These items together with the many small items of from five to twenty-five dollars expended throughout the township in filling holes and making small surface ditches, grading patch by patch without any regularity and many other trifling items of work make the amount when footed up at the end of the year of alarming dimensions.

Roads have been constructed by road work under pathmasters, and good roads can be constructed under the statute labor system, but more money has been squandered, labor misapplied, wasted, and practically thrown away. Draining, grading and other elementary principles involved in making and keeping of a good road in a great majority of cases is ignored and the work is done without rule, reason or any regard for the ultimate result. All the water that falls on the road is allowed to stand in ditches made to receive it, which saturates the foundation, stands in pools and ruts on the road, and the traffic churns and mixes it with soft dirt until it is removed by the slow process of evaporation. During the dry season this lazy process is put in operation and leaves the roads more susceptible to the damaging influences of the wet autumn weather.

Under the impression that the higher the crown is made the more easily the road will be drained, materials are heaped up in the centre until the sides become dangerous by their slope for the passage of vehicles. The vehicles run entirely upon the middle until it is crushed and runs down, when a fresh supply of material is put on and the road is again restored to its dangerous condition. The sides of the road are, but little used except in summer, or until the heavy loads have crushed the middle into a surface apparently compact and smooth. In some places the material is laid in a narrow line along the middle of the road, and the sludge collected from the scraping of the road, or ditches is placed one each side like banks, to prevent the stones from being scattered by the wheels. These stones are left loose, and dangerous to horses feet, and very annoying to the passage of vehicles, and offer great resistance to heavy loads. Wagons are forced for safety and convenience to keep in the middle, and it is speedily plowed into deep ruts which hold the rain-water even when the convexity approaches the form of a semi-circle. The central elevation is kept dry, and the central pressure of the traffic forces the material upon the sides, where it lays loose and unconnected, and obstructs the course of the water from the middle.

After harvest, the municipal council makes a contract with some man who is in the habit of taking job-work for the reparation of a certain portion of the road with the special injunction, "be sure and throw the grade high enough." These men commence work and continue for a few days, take another job from private parties, leave the road in a dangerous con-

dition until that job is completed, return late in the autumn to work diligently, not even to be stopped by the equinoctial rains, for the work must be done as contracted for before Christmas. No pretention is made to drainage, fresh loose clods are dumped in the bottom and all other material hard and soft is laid down forming a convexity of considerable elevation according to order, a little gravel is spread over the top of this conglomeration just to give it a finish. The work is inspected by the council or commissioner. And how can they possibly refuse to speak the truth. They certify that is perfectly smooth and that a great deal of work has been done by the men. The elections are close at hand. The contractors are hard-up and want their money, and the council sees that they get it. As soon as the rains come on, the material is saturated and the whole mass is a quagmire.

Ratepayers, ignorant of these acts, and without a knowledge of any better system receive their tax bills with strong expressions of dissatisfaction and exclamations of grin and bear, pay the amount and think nothing more about it until the next payment is due.

Every road is a structure and needs a foundation. A good road will never be built by accident or maintained by ignorance. It is quite as senseless and futile to attempt to build and maintain a good highway by calling out A B and C from their various occupations to maul and scrape a few miles of soft dirt with hoes and shovels, as it would be to expect the same persons under a similar system to contribute their personal labor in the successful erection of a court house or gaol. In either case the proper completion of the work requires, that it be done under an intelligent supervisor, and by persons whose knowledge and instruction fits them for this kind of work. Besides these objections, the system of working out the road tax as at present operated, presents certain features which are inequitable as among the people themselves. The money collected from these persons who agree to pay their assessments in money rather than by personal labor is in many cases diverted to mysterious use, which only the municipal politicians have power to disclose. While on the other hand, the labor performed here and there by that little squad composed of the youth taking his first lesson, strong in ambition, but weak in physique; the hired man proud of his holiday; the middle aged willing to work, but more anxious to yarn; the prosperous farmer anxious to work according to the intention of the law, but cannot see his way clear to do more than his neighbor; the veteran roadster whose hair has grown grey anticipating good roads as the result of his many years labor; the grandfather, who when his work is done has completed his manual labor for the year.

The Drainage Act, 1894.

It might be well to note in passing, a difference between the time and mode of serving the notice set forth in section 34 of the act under discussion, on parties who are owners of lands, alleged to have been assessed too low or omitted from the assessment by the engineer, and the notice set forth in subsection 9, of section 64, of the Consolidated Assessment Act, 1892. Section 35 of the first mentioned act provides that the notice referred to in the preceding section shall be sent by letter to such person and to his post office address, or to his last known address, at least seven days before the first sitting of the court for the trial of complaints. Under the Assessment Act, a service of this kind is allowable only in the case of non-residents—in other cases, if the person to be served resides or has a place of business in the local municipality, the notice shall be left at the person's residence or place of business; if such person be not known, the notice shall be left with some grown person on the assessed premises, if there is any such person there resident. The time prior to the sitting of the court of revision within which the last mentioned notice is to be served is six days instead of seven. Under section 41 of the Drainage Act, 1894, an appeal lies from the decision of the court of revision to the county judge of the county within which the municipality is situated. This appeal may be not only against a decision of the court of revision but also against the omission, neglect, or refusal of the court to hear or decide an appeal. Such an appeal as the present can only exist by statute, and only to the extent that the statute plainly gives the right. The municipal authorities are not bound in the absence of statutory requirement, to inform a person either of his right to appeal or of the proceedings necessary to prosecute the appeal. Ignorance of the provisions of a statute is no excuse for non-compliance with its provisions. It is therefore very advisable that the person contemplating an appeal of this kind, should take particular care to inform himself as to the preliminary steps to be taken—the decision of the court of revision being binding, subject to a right to appeal, which is given by the statute, apparently on the observance by the intending appellant of certain conditions. The following judicial *dicta* will bear this out: In an English case, the subject of which was an appeal from the decision of a revising barrister, it was stated, that "upon the ground, therefore, that the right of appeal against the decision of the revising barrister is given only upon a condition which has not been complied with in the present case, the court is unanimously of the opinion that the appellant is not in a situation to be heard. When the legislature is thus giving to a judge jurisdiction over rights that have always been the subject of such watchful jealousy, it is in a peculiar manner incumbent on the judge

to confine himself strictly within the limits prescribed for him—a deliberate deviation from an enactment so express and positive in its terms would induce a mischief much greater than any inconvenience that can arise from the blunder of an appellant in any case. Section 42, provides that the person appealing shall, in person or by solicitor or agent, file with the clerk of the municipality within ten days after the closing of the court of revision, a written notice of his intention to appeal to the judge. The first point to be observed is that the notice must be in writing. The section quoted does not, in express terms, require the notice to be signed by the party filing the same, but it is to be inferred that such is the intention. Then the notice is to be filed within ten days after the closing of the court of revision. The notice is to be of the intention to appeal. Its object is simply to inform the parties concerned that the person decided against is dissatisfied, and intends to avail himself of the right to appeal. If the notice substantially gives this information, no matter what its form may be, it will be held sufficient. The grounds of the appeal need not be stated in the notice, unless required by the statute giving the right to appeal. No such requirement is contained in the section under discussion, but we consider it well that all parties interested should be thoroughly informed as to the subject matter of the appeal, and that it is therefore advisable to insert in the notice, filed with the clerk, the subject matter of the appeal. In any event, the notice should on the face of it, show in some manner that the party is dissatisfied with the decision intended to be appealed against. There does not appear to be any power to waive these notices so as to give the court or judge jurisdiction. Section 43, requires the clerk to forward a list of the appeals filed with him, immediately after the time limited for filing the same, to the judge. This provision limits the time after which notice is not to be given. The judge is then to appoint the time for hearing the said appeals, and to notify the clerk thereof. The place of hearing shall be fixed at the town hall or other place of meeting of the council of the municipality. If the judge considers it more convenient or less expensive, he may, however, fix some other place for the hearing. Notice of such time and place of hearing is to be given by the clerk to all parties appealed against in the same manner as is provided for giving notice on a complaint to the court of revision. Section 44, confers on the judge the power, in case the clerk neglects or fails to have the necessary services of notices made within the prescribed time, to adjourn the hearing of appeals to some subsequent day, to permit of the proper service of the notices. Section 46 provides that the clerk of the municipality shall be the clerk of such court, and defines his powers and duties. No provision is made for the appointment of a substitute.—*To be continued.*

Municipal Defaulters.

We take the following from the issue of *The Canadian Law Journal* of the 6th April, 1895:

The public are informed that a painful surprise had happened to the city of Hamilton and the county of Wentworth, in that the county treasurer has appropriated nearly \$9,000 of the county funds to his own use. He is said to have admitted taking this amount in various sums at various times, and put it into his business as though it were his own money. He had hoped to make the deficiency good, but had been unsuccessful in his business. We are also told that the treasurer is very popular with the county councillors, and he, having with much candour and with proper feeling, expressed his sorrow at the state of affairs, the county council decided not to deal harshly with him. In fact, they were so impressed with his misfortune that they also decided—although they regretted the difficulty and censured him for his want of judgment in the matter—to continue him in his position as treasurer. Feeling, however, the grave responsibility upon them as guardians of the public, they passed a resolution rendering it impossible for him in the future to misappropriate any larger sum at any one time than \$3,000. It is gratifying to know, however, that the sureties of this officer have made good the stolen funds, and that he will now devote himself to recouping his sureties for their loss.

Now, we desire to say that this tale, as it appears in a daily paper, almost in the above words, is not told as a joke. We presume it states the facts correctly. If it is intended as a satire upon our municipal system, we have no suggestion for any improvement; although if it is intended either as a satire or a joke, it was not hard to connect it with the name of a real living county treasurer. Less than two months ago a customs official in Ottawa, and a wealthy man, who, out of pure carelessness and with no intent to misappropriate, did not promptly pay into the department a few hundred dollars of public money that had been paid to him, was forthwith arrested and sent to jail for a year. But then he was probably not very popular with the head of his department, and it was not necessary to keep him in his position to recoup his sureties, for he paid up his deficiency himself.

We do not desire to say one harsh word about the very popular treasurer, but we would respectfully suggest to the members of the county council to consider whether (even if it were not necessary in the public interests to institute criminal proceedings) it was consistent with the duty which they owe to the public to condone so serious an offence by continuing the delinquent in office.

The largest gold coin in existence is said to be the gold ingot, or "loof" of Annam, a flat, round gold piece worth about £63, the value being written upon it in Indian ink.

The Municipal Amendment Act, 1895.

17. Clause *a* of sub-section 3 of section 18 of *The Consolidated Municipal Act 1892*, is amended by adding at the end thereof the following words: "and for the purpose of enforcing such payment the like remedies may be had and proceedings taken against the person in default as are provided by sub-section 1 of section 98 of *The Consolidated Assessment Act 1892*, in cases of neglect or refusal to pay any sum for statute labor commuted under section 94 of the said Assessment Act."

2. Sub-section 1 of section 77 of the said Act is amended by striking out all the words after the words "behalf of the corporation" in the twelfth line and inserting the following in lieu thereof:—

"Or having a contract for the supply of goods or materials, or supplies of goods or materials to a contractor for work for which the corporation pays or is liable directly or indirectly to pay or which is subject to the control or supervision of the council or of an officer thereof on behalf of the council, or has an unsatisfied claim for such goods or materials, and no person who, either by himself or with or through another, has any claim, action or proceeding against the municipality, and no person who is counsel or solicitor either by himself or with or through another in the prosecution of any claim, action or proceeding against a municipality shall be qualified to be a member of the council of any municipal corporation."

3 and 4.—(1) Sections 102 and 103 of the said Act are amended by changing the oaths to be taken by electors in municipalities divided into wards.

5. Section 117 of the said Act is amended by inserting therein after the word "day" in the first line thereof, the following:

"Or where such last named day is a public holiday, then before twelve o'clock noon of the succeeding day."

6. Section 117 of the said Act is further amended by striking out all the words after the word "municipality" in the thirteenth line thereof and substituting therefor the following:

"Provided also that if by reason of any such resignation or resignations the number of candidates remaining proposed for any office or offices does not exceed the number required by this Act to be elected for such office or offices, then the clerk or other returning officer shall declare such remaining candidate or candidates duly elected to such office or offices."

7. Section 140, is amended by adding thereto, as sub-section (1*a*) the following:

(1*a*) The judge shall direct that in default of the payment of the said penalty and costs within the time fixed by the said judge, the offender shall be imprisoned in the common goal for the county for such periods not exceeding thirty days, as shall be directed by the said judgment,

and in case of such default of payment the judge shall issue a warrant for such arrest and for confinement of the offender in such common goal in accordance with the said judgment, unless the penalty and costs shall be sooner paid.

8. Sub-section 2 of section 155 of the said act is amended by striking out the word "was" in the fifth line thereof and substituting therefor the words "and poll book were,"

9. Schedule G of the said act is hereby amended by adding the word "list" in the fifth line thereof the words "and poll book," and by substituting the word "were" for the word "was" in the sixth line thereof.

10. Section 182 of the said act is amended by adding after the word "town," in the first line thereof, the words "or the office of reeve of a township or village," and by striking out the words "the first day of December" in the second line, and substituting the words "first day of November."

11. Section 182 of the said act is further amended by adding thereto as sub-section 2 the following:

2. In case the office of alderman or councillor becomes vacant after the first day of November in any year, and an election to fill the vacancy has not been ordered by the court, it shall be in the discretion of the council to direct that an election be held to fill such vacancy or otherwise, as it may see fit.

12. Sub-section 1 of section 187 of the said Act, is amended by inserting after the word "thereat" in the twelfth line thereof the words "or in case of an election by acclamation any elector entitled to vote at a municipal election for the municipality."

13. Section 188 of the said Act is amended by adding thereto the following as sub-section 2:

(2) Service of such notice of motion shall be made within two weeks from the date of the order or fiat so granted by the judge or officer having jurisdiction, unless otherwise ordered by the judge, as provided for in section 194 of this Act; and in cases where the order or fiat has heretofore been obtained, the service shall be made within two weeks after this Act shall come into force unless otherwise ordered by the judge.

14. Section 366 of the said Act is amended by inserting after the word "establishment," in the third line thereof, the words "or any building for the storage of ice for commercial purposes."

15. The said Act is amended by adding thereto the following section as section 399*a*:

399*a*.—(1) Either of the parties to any such arbitration may pay the fees of the arbitrators therein as demanded by the said arbitrators before delivery of their award, into the office of the clerk of the county court for the county in which the municipality, wherein the land which is the subject matter of such arbitration is

situated, together with \$10 as security for costs, and the said clerk shall give a receipt for the same, and shall enter such payment in a book to be kept by him for the purpose, and shall be entitled to receive from the said party as a fee to his own use, when the sum paid in does not exceed \$50, a fee of fifty cents, and when the sum paid in exceeds \$50, the sum of \$1, and the said arbitrators, or any two of them, who may have made the award in such arbitration, upon the production of such receipt, shall forthwith deliver their said award to the said party to the arbitration paying in the said fees and the said \$10 as aforesaid.

(2) The party so paying in the said sum may have the fees taxed by the clerk on the latter's appointment without any judge's order, upon giving two days' notice of such appointment by service of a copy thereof upon the arbitrators or upon the person named by them to receive such service for them, and if the said fees are found upon such taxation to be authorized by the *Act respecting Arbitrations and References*, the said fees so paid into the office of the said clerk as aforesaid, shall, unless there is a revision of such taxation as hereinafter provided, be forthwith paid out to the said arbitrators by the said clerk, but in case of a revision of such taxation, such payment out shall be postponed until such revision shall have been finally disposed of, and shall be subject to the result of such revision.

(3) The said clerk upon taxation shall have regard to the charges made by each arbitrator and shall tax the fees of each arbitrator separately, and the costs of the taxation shall be in his discretion, and he may order the same to be paid either by the applicant or by the arbitrators or by any one or more of them, and he shall make such order in the premises as to him shall appear just.

(4) Either party to the taxation may, within two days after the completion of such taxation, upon giving four days' notice to the opposite party, require a revision of such taxation by one of the taxing masters of the High Court at Toronto, and may require the clerk to transmit all papers in the matter to such taxing master, and upon the payment of the necessary postage to the clerk the latter shall forthwith transmit such papers and his certificate of taxation or decision or a duplicate thereof to such taxing master.

(5) Upon such revision, the taxing officer shall revise the said taxation and the order or decision of the said clerk as well as to costs as to all other matters, and the cost of the appeal shall be in his discretion and he may order the same to be paid either by the applicant or by any one or more of the arbitrators as to him shall seem just, and his order shall be final and conclusive upon all parties, and such order when necessary may be enforced by execution to be issued out of the county court where the money was deposited.

(6) The order of the clerk or of the taxing master may direct the \$10 so paid in as security as aforesaid, or so much as may be necessary, to be applied towards the payment of any costs payable by the applicant and the remainder, if any, to be returned to him, and that any costs payable by any arbitrator shall be deducted from any fees payable to him and so paid into court as aforesaid. In the event of such moneys being insufficient in any case to pay such costs, the clerk of the county court may order that execution issue against the persons ordered to pay any balance, and the same shall issue upon such order out of the county court into which the fees were paid.

(7) Either party may file affidavits upon such taxation, or the clerk may examine the parties and the said arbitrators and any other witnesses upon oath upon the request of either party to the taxation.

(8) When the amount of the fees paid in does not exceed \$100 the costs of taxation or appeal shall be upon the division court scale, and where the fees paid in exceed \$100, upon the county court scale; but the clerk or taxing officer may, in his discretion, fix a lump sum to be paid in lieu of taxation.

Section 444 of the said Act is amended by inserting the words "and provide and pay all other necessary expenses" after the word "necessaries" in the fifth line thereof, and by substituting the words "use and maintenance" for the words "and use" in the seventh line thereof.

Section 460 of the said Act is amended by adding thereto the following as sub-section 7:

(7) The council may pass by-laws for committing to and detaining at such houses of industry for a period of not more than twelve months, indigent persons, and the warrant of the warden or head of a council passing such by-law, under the seal of the corporation, shall be sufficient authority to the keeper of such house of industry to detain the person therein mentioned for a period stated in such warrant not to exceed twelve months, but this shall not affect the powers of committal by law conferred on any other person or officer.

18. Sub-section 16 of section 479 of the said Act is amended by adding the following words thereto:

"And for preventing the obstruction of the halls, aisles, passage-ways, alleys or approaches in any such buildings or leading thereto during the occupation of the same by any public assemblage."

19. During the time any church, theatre, hall or other building used for place of worship, public meeting or place of amusement is occupied by an assemblage of persons, the chief constable or any police officer or member of the police force of any city or town in which such church or other building is situated, may enter any such church or other building

to see that the by-laws of the municipality for preventing the obstruction of the halls, aisles, passage-ways, alleys or approaches in such building or leading thereto are not being violated, and to require the removal therefrom of any obstructions which may be placed in such halls, aisles, passage-ways, alleys or approaches thereto.

20. Section 483 of the said Act is amended by adding the following sub-sections thereto:

(2) Whenever any council in any city or incorporated town is desirous of entering upon any public work or undertaking, in the pursuance of which any real property may be entered upon, taken or used by the corporation in the exercise of any of its powers, or may be injuriously affected by the exercise of its powers, such council may, notwithstanding anything in this Act contained to the contrary, file plans and specifications of such work or undertaking, or certified copies thereof with the clerk of the municipality, who shall, on receiving the same, issue a notice setting out the council's intention to proceed with such work or undertaking, and to enter upon, take or use the lands necessary therefor, and that such plans and specifications have been filed with him and may be inspected at his office, and that all claims for damages by reason of the said proposed work or undertaking must be filed with him within sixty days from the service of such notice, and shall cause such notice to be served upon the owners and occupiers of or other persons interested in the said real property to be so taken, entered upon or used as aforesaid, or that may be injuriously affected as aforesaid, and that such owners, occupiers or other persons shall file with the said clerk, within the said period of sixty days, their claim for damages for any of the causes aforesaid, showing the amount thereof, or in default thereof that any claim for such damages will be barred. Provided, however, that in case the person served as aforesaid shall, at the time of such service, be resident outside the Province of Ontario, a further period of thirty days shall be allowed such person to file such claim.

(3) All such claims shall be made pursuant to the said notice, and unless made within sixty days after the service of such notice in the case of persons resident within the Province, or within a further period of thirty days provided for in the case of persons resident outside of the Province, shall be barred and extinguished unless upon application to the judge of the county court of the county in which such city or town is situated, and upon giving to the said council at least seven days' notice of such application, such judge shall allow the claim to be made and served, but such claim shall be absolutely barred and extinguished unless made within a period of one year from the service of said notice. Either party may appeal from the decision of the judge to a divisional court of the High Court.

(4) If any such claim shall be so filed within the time aforesaid, the same, unless accepted by the council, shall forthwith be determined by arbitration under this Act.

(5) In every arbitration had or taken under any of the provisions of this Act, the person making a claim thereunder shall deliver full particulars of the damages for which such claim is made, and the arbitrator or arbitrators, upon the hearing of such claim, shall have the same power as to amendment generally, or to amend such claim or particulars or any proceeding or proceedings that may be had or taken upon the hearing thereof, as a judge would have under the provisions of *The Judicature Act* or otherwise, and such arbitrator or arbitrators may in his or their discretion, refuse at any time to hear, upon any matter or question, further evidence of a cumulative character.

(6) Provided further that nothing in this section contained shall bar or extinguish any claim when the plans and specifications filed do not reasonably and sufficiently disclose the damage that may be sustained.

21. Sub-section 9a of section 489 of the said Act is amended by striking out the figures "\$100" in the eighth line thereof, and substituting therefor the figures "\$250" and by striking out the figures "\$50" in the said eighth line and substituting therefor the figures "\$100."

22. Section 489 of the said Act is amended by inserting therein the following as sub-section 9b:

9b. The words "transient traders" wherever they occur in sub-sections 9 and 9a of this section, shall extend to and include any person, commencing the business in the said sub-sections mentioned, in any municipality, who has not resided continuously in such municipality for a period of at least three months next preceding the time of the commencement of such business therein.

23. Sub-section 38 of section 489 of the said Act is amended by inserting the words "or other member of the police force" after the word "inspector" in the fifth line thereof, and by adding the same words "or other member of the police force" after the word "officer" in the eighth line thereof.

24. Section 489 of the said Act is amended by adding the following sub-section thereto:

(59) For regulating and governing (but not licensing) persons using bicycles and other vehicles not drawn by horses; but this sub-section shall apply only to municipalities which have a population of 100,000 or more:

25. Sub-section 13 of section 495 of the said Act is amended by adding at the end of the eighth line thereof the following words: "and for granting such aid to art schools, approved by the Education Department, as they may deem expedient."

26. Sub-section 25 of section 496 of the said Act shall not apply hereafter to a city containing over 100,000 inhabitants, and as regards such a city the following is substituted therefor :

(25) For compelling persons to remove all snow and ice from the roofs of the premises owned or occupied by them ; and to remove and clear away all snow, ice and dirt and other obstructions from the sidewalks, streets and alleys adjoining such premises ; and also to provide for the cleaning of sidewalks and streets adjoining vacant property or the property of persons who neglect to clean the same within five hours after eight o'clock in the morning where the storm ceased at any time before the hour of eight o'clock in the morning, and to remove and clear away all snow and ice and other obstructions from such sidewalks and streets at the expense of the owner or occupant in case of his default ; and in case of non-payment to charge such expense as a special assessment against such premises, to be recovered in like manner as other municipal rates.

27. Section 504 of the said Act is amended by inserting therein after sub-section 7 thereof the following sub-section: "(7a) For aiding and assisting by annual money grant, or otherwise, as the council may deem expedient, the establishment and maintenance of official benefit funds for employees of the corporation (other than employees of the police force and fire brigades hereinbefore provided for) and their families."

28. Section 510 of the said Act is amended by adding thereto the following sub-sections as sub-sections 3, 4, 5, and 6.

(3) Upon the petition of a majority of the ratepayers entitled to vote on money by-laws in any defined area or portion of a town or incorporated village representing in value more than one-half of the assessed real property within such portion or area, the council of such town or incorporated village may pass a by-law or by-laws for the purchase of a fire engine and other appliances, and the supply of water therefor, for the purposes of fire protection, and may by the same or any subsequent by-law define, by metes and bounds or otherwise what real property within such area will be benefited by the proposed fire protection and is to be charged with the cost thereof, and may also by such by-law or any subsequent by-law, make provision for assessing and levying on the real property so defined by the by-law the cost of managing and maintaining the said fire engine and appliances and for providing the necessary water supply.

(4) Debentures issued under this section shall be so issued in conformity with section 342 of this Act.

(5) The said council may levy the costs of such engine and appliances and of the water supply upon the real property to be benefited in any one year, or may issue the debenture or debentures of the town or incorporated village payable in annual proportions during a period not exceeding

ten years, with interest as to the said council may seem meet and proper, and may levy the amount payable thereon from time to time upon the real property to be benefited as aforesaid.

(6) It shall not be necessary to submit any of the said by-laws in this section to a vote of the electors, nor to comply with the formalities required only for the purposes of such submission.

29. Section 521 of the said Act is amended by adding thereto, immediately after sub-section 6 thereof, the following sub-section.

6.—(a) For reducing or varying the amount of statute labor to be performed by the ratepayers or others within certain defined areas in the municipality when, in the opinion of the council, exceptional circumstances exist rendering such reduction or variation equitable, and upon such conditions as may be imposed by the by-law.

30. Sub-section 1 of section 550 of the said Act is amended by striking out all the words in the last two lines thereof and substituting therefor the words: "Roads within its jurisdiction, and also for permitting subways or bridges for cattle under any highway."

31. Sub-section 1 of section 616 of the said Act is amended by inserting after the word "property" in the seventh line thereof the following words: "the number of such owners and the value of such real property as appears by the last revised assessment roll as aforesaid having been first ascertained and finally determined in the manner and by the means provided by by-law in that behalf."

32. Sub-section 4 of section 616 of the said Act is amended by adding after the words "city or town" in the first line the words "or incorporated village."

33. Sub-section 1 of section 623c of the said Act as amended by section 16 of *The Municipal Amendment Act, 1894*, is amended by adding the following thereto as part thereof :

When sidewalks have been or shall be built under this section, the property assessed for the said sixty per centum for or towards such construction shall be exempted from any general rate or assessment for the like purpose under section 624 of this Act to the extent of sixty per centum of such rate only.

34. Section 629 of the said *The Consolidated Municipal Act, 1892*, is amended by adding thereto the following sub-sec. :

(5) The council may also, by by-law, designate certain streets or parts of streets to be watered, swept or lighted, and may impose a special rate upon the assessed real property therein according to the frontage thereof, or according to the assessed value thereof when only such latter system shall have been adopted, by a three-fourths vote of the full council, in order to pay any expenses incurred in watering, sweeping or lighting such streets or parts of streets.

35. The said Act is amended by insert

ing therein the following as sections 663c and 663d.

663c.—(1) On the application of the trustees of any police village for the issue of debentures for the purchase of fire engines and other appliances for the purpose of fire protection and the supply of water therefor or for lighting the streets of such police village, or supplying light and heat to the inhabitants thereof, the council of the township in which the police village is situated shall submit to the ratepayers of such village entitled to vote on money by-laws in the manner provided by this Act in respect of by-laws for the creating of debts, a by-law for the purpose of issuing such debenture or debentures for a period not exceeding ten years, and for levying a special rate for repayment thereof upon the taxable property in such police village, and in the event of the assent of the said ratepayers being thereto obtained then it shall be the duty of such council to raise or borrow such sum.

(2) Debentures issued under this section shall be so issued in conformity with section 342 of this Act.

(3) All moneys so raised as aforesaid by the issue of debentures shall be retained in the hands of the township treasurer, who shall pay thereout any order given in favor of any person or persons by the inspecting trustee or by any two of the trustees, such order being for work previously actually performed or in payment of some other executed contract necessary for the carrying out of such improvements.

(4) It shall be the duty of the trustees, and the trustees shall have power to let contracts, employ labor, purchase material, and do all things necessary for the proper construction, maintenance and operating of such improvements, and the said trustees shall have the care, control and management of the said fire engine and appliances as well as of the construction, maintenance and operating of the plant and apparatus necessary for the purpose of supplying light and heat as aforesaid, and the said trustees shall annually before the striking of the rate for the year of the township council furnish to the council a statement showing in detail the amount required to be levied from the property of the said village for the services aforesaid for the current year, and for managing and maintaining the said fire engine and appliances, and for providing the necessary water supply.

To be Continued.

A curious case was tried at Exeter in England the other day. The plaintiff's claim was for £30 damages sustained in consequence of defendant's dog attacking his horse, causing it to run away. On going across the road a dog sprang out against the horse. The horse kicked out at the dog. The dog jumped back and "went for the horse again." The horse thereupon bolted, started kicking, and threw its hind leg over the shaft, falling on to the footpath. The driver was cracking his whip repeatedly. On account of this the dog began to bark. Denver then tried to drive the animal away with his whip. The dog still continued barking, and again attacked the horse. A verdict was given for the plaintiff for the amount claimed, with costs.

Rules and Regulations for the Government of Common Gaols.

(Continued from April.)

LABOR AND EMPLOYMENT OF THE PRISONERS.

Every prisoner must keep his or her cell clean and orderly; but the scrubbing and cleaning of the corridors and all the other portions of the gaol, and of the yards, shall be done by the prisoners sentenced to hard labor.

Labor is compulsory on all prisoners sentenced to hard labor, unless the health of any prisoner, as certified by the gaol surgeon in his journal, will not permit of it, and the nature of the labor, other than the ordinary gaol work, at which they shall be placed shall be determined by the sheriff, after consultation with the gaoler and matron, and by the municipal council having control of the gaol, except as regards extra-mural labor, the mode of performing which is hereinafter provided for. When no work can be obtained for prisoners sentenced to hard labor, such prisoners shall be drilled in marching and counter-marching, and in lifting, carrying, and dropping weights, or at such other exercise as the sheriff may approve of; and while prisoners are engaged in such drill and exercise, or are employed at hard labor, they shall be under the guard of the gaol officers.

Prisoners awaiting trial, witnesses for the crown, prisoners committed on civil process, prisoners not sentenced to hard

labor, and lunatic prisoners shall have the option of employment, but shall not be required to perform hard labor, but shall keep their cells clean and in order, and all shall be invited to work.

The hours of labor shall be ten in summer and eight in winter, and no prisoner shall be required to perform any labor, either within or without the gaol, other than keeping his or her cell and the gaol clean and in order, on Sundays, Christmas Day and Good Friday; and no Jew shall be required to perform any labor, either within or without the gaol, other than as aforesaid, on his Sabbath day.

EXTRA-MURAL LABOR.

No prisoner sentenced to confinement in any common gaol of the province shall be assigned for the performance of extra-mural labor, unless he is then under sentence to hard labor, and shall have undergone a prior sentence of imprisonment in the gaol in which he is confined, nor until he shall be certified by the gaol surgeon to be physically fit to perform the class of hard labor at which it is proposed to employ him.

All prisoners who are to be employed at extra-mural labor shall receive, every day in which they are so employed, the dietary named in scale No. 2.

All prisoners engaged upon extra-mural labor shall be clothed in the prescribed gaol garb, and in winter must have under-clothing of sufficient warmth.

The work upon which prisoners may be

employed shall (except as hereinafter provided) be exclusively confined to works carried on under the direct control of the government of Ontario, or of the council of the county or united counties, or of a city, town, or township in the county or united counties, in which the gaol is situated,

When government or municipal work cannot be conveniently had, the gaol labour may be employed on private work; but in no case shall the gaol labor be so used without the express sanction of the inspector, who shall first receive a report from the sheriff setting forth the nature of the work to be performed, and the amount of remuneration to be received therefor.

The works upon which prisoners may be employed shall be: breaking stone, cutting wood, digging drains and sewers, cleaning public streets, cultivating and improving public grounds, or such other work as may be approved of by the sheriff being of such a nature as to admit of the prisoners being massed together or kept in line while at work.

During the months of November, December, January, February, and March, the length of the working day for extra-mural work shall be eight hours, during daylight, with an allowance of one hour for dinner; and in the remaining months of April, May, June, July, August, September, and October, nine hours shall be the length of a working day, with an allowance of one hour for dinner.

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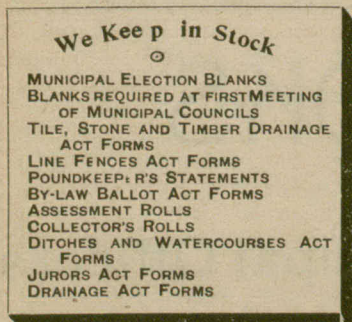
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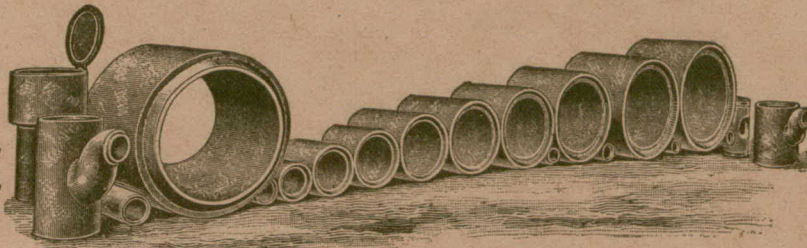
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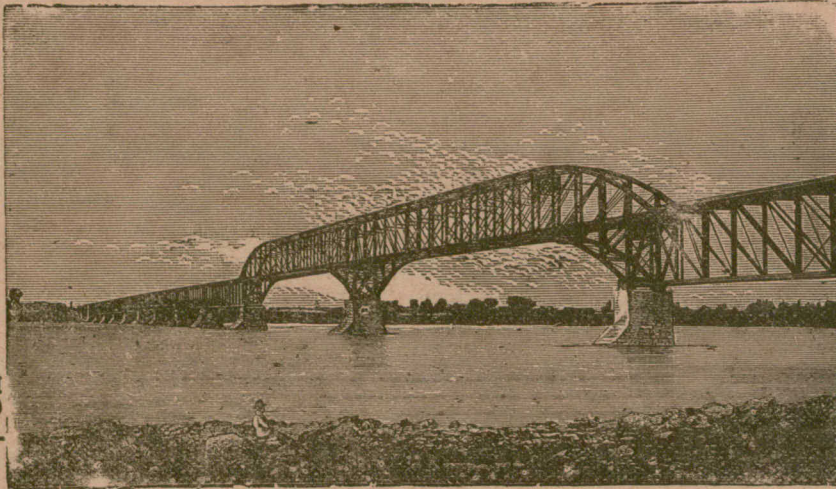
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