

The Municipal World



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THE MUNICIPAL INSTITUTIONS OF ONTARIO

Vol. 5. No. 11.

ST. THOMAS, ONTARIO, NOVEMBER, 1895.

Whole No. 59

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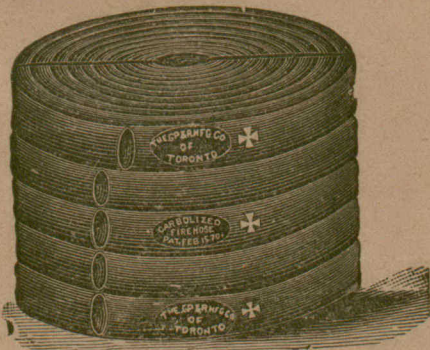
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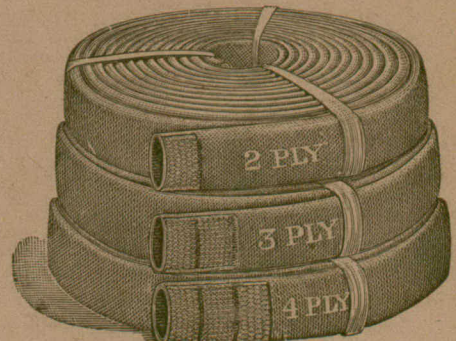


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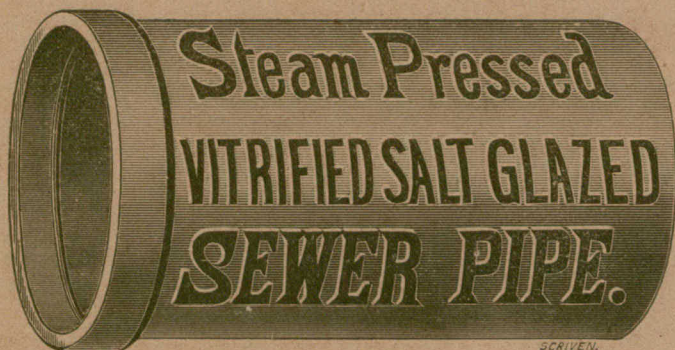
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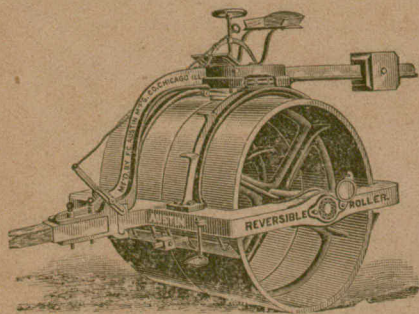
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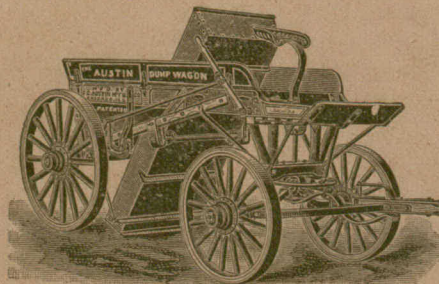
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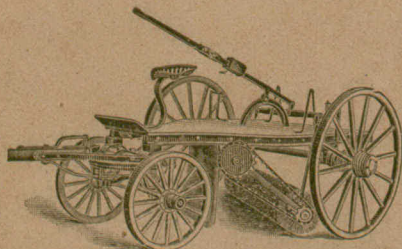
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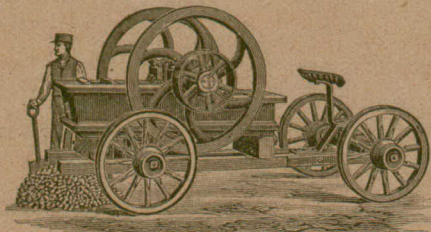
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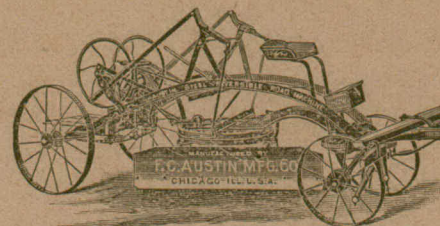
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Official—		Pickwick, per box.....	20
No. 9 white, 4 x 9, open at side, per 1,000.....	2 50	Per dozen.....	15
Per package.....	10	Penholders—	
No. 9 white, 4 x 9, open at end, per 1,000.....	2 75	Medium swell natural wood, per dozen.....	30
Per package.....	10	Medium swell black wood, per dozen.....	40
No. 9 manilla, 4 x 9, open at side, per 1,000.....	1 75	Straight, per dozen.....	30 and 40
Per package.....	8	The bank wood and cork penholder, each.....	10
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Per package.....	15	Pencils—	
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THE MUNICIPAL WORLD

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

Vol. 5. No. 11.

ST. THOMAS, ONTARIO, NOVEMBER, 1895.

Whole No. 59

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Calendar for November and December, 1895

Legal, Educational, Municipal and Other Appointments

NOVEMBER.

1. Last day for transmission by local clerks to County Treasurer of taxes on lands of non-residents.—Assessment Act, section 121.
- Last day for transmission of Tree Inspector's Report to Provincial Treasurer.—Tree Planting Act, section 6.
- Last day for Collector to demand taxes on lands omitted from the roll.—Assessment Act, section 154.
15. Day for closing Court of Revision in Cities, Towns and Incorporated Villages, when Assessment taken between 1st July and 30th September. Assessment Act, sec. 52. On and after this date, Councils of Townships, Cities, Towns or Villages may enter on lands and erect snow fences.—Snow Fences Act, section 3.
- Report of Medical Health Officer due to Local Board of Health.—Public Health Act, schedule A, section 1.
30. Last day for Municipality to pass By-laws, withdrawing from Union Health District.—Public Health Act, section 41.

DECEMBER.

1. Chairman of Board of Health to report to the Council on or before this date.—Public Health Act, schedule A, section 3.
- Last day for appointment of School Auditors by Public and Separate School Trustees.—Public School Act, section 37 (1); Separate School Act, section 28 (5).
- Municipal Clerk to transmit to County Inspector statement showing whether or not any county rate for Public School purposes has been placed upon Collector's Roll against any Separate School supporter. Public School Act, section 113; Separate School Act, section 50.
- Last day for Councils to hear and determine appeals where persons added to Collector's Roll by Clerk of Municipality.—Assessment Act, section 154.
10. Last day for Public and Separate School Trustees to fix places for nomination of Trustees.—Public School Act, section 102 (2); Separate School Act, section 31 (5).
- Returning Officers to be named by resolution of the Public School Board (before second Wednesday in December).—Public School Act, section 102 (2).
14. Last day for payment of taxes by Voters in local municipalities passing by-laws for that purpose.—Municipal Act, section 489.
- Last day for Collectors to return their rolls and pay over proceeds, unless later time appointed by Council.—Assessment Act, section 132.
- County Treasurer to pay Township Treasurer rates collected in Township.—Public School Act, section 122 (3).
- Local Assessment to be paid Separate School Trustees.—Separate School Act, section 55.
- Municipal Council to pay Secretary-Treasurer Public School Boards all sums levied and collected in Township.—Public School Act, section 118.
- County Councils to pay Treasurer High School.—High School Act, section 30.
- High School Treasurer to receive all moneys due and raised under High Schools Act.—High School Act, section 36 (1).
16. Councils of Towns, Villages and Townships hold meeting.—Municipal Act, section 254.



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The Municipal World

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THE MUNICIPAL WORLD,

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ST. THOMAS, NOVEMBER 1, 1895.

A public officer is a public servant. True; but what is the servant to do if the master does not know his own will? How can a public officer perform the will of the people when the people have no will and express none? Let the citizen learn what he wishes his servants, the officials, to do, and they will very soon obey him. Why does a close corporation obtain its wishes in the halls of legislature? Because it knows what it wants. Does the average citizen know what his province and his community need? And if the individual have no definite wish, how is the aggregate to express one?

Municipal Ownership in England.

In Dundee, Scotland, says a writer in the *New York Tribune*, the gas supply is owned by the town. The street car lines, if not actually operated by the municipal government, are owned by the corporation and leased to the highest bidder at good rentals under restrictions which promote the comfort and convenience of passengers. Not only are the markets owned by the town, but all the slaughter-houses are conducted by the municipality under rigid sanitary inspection. The city has its public school system, and also its own free library and art gallery, for the support of which every house-owner and rent-payer is taxed a penny to the pound. Moreover, a large portion of the city debt has been incurred by municipal condemnation of plague spots and organized attempts to open new streets and to improve the housing of the working classes. An American who spends a week in a Scotch town like Dundee will readily be convinced that municipal government has assumed a distinctively collectivist phase in the United Kingdom.

Experiments in town ownership and control which would be regarded in his own country as radical, if not socialistic, are going on here without observation, and are accepted as the necessary results of the growth of large towns.

The shrewd, canny Scotchman does not understand why a town cannot regulate the gas as well as the water supply, and believes that every community would be better served by public agents than by private corporations. Outside London there are two hundred or more cities and towns which now own and control the gas supply. The rate of gas has been reduced, even when there has been a necessity of providing for interest charges and sinking funds; and eventually, when the debts incurred through the purchase of the property of private companies have been liquidated, the bills will go lower.

In the same spirit the Scotchman will advocate municipal ownership of street railways. He will assume that the city ought never to surrender control of the public highways; that all improved facilities for rapid transit should be regulated by the municipality; that the tracks ought to be laid at the expense of the town, and the cars operated either by municipal servants or by companies which pay a good rental into the city treasurer.

The Single Tax System.

The advantages, and disadvantages of the system are set forth in the *Syracuse Post* as follows:

"Briefly stated, the single tax system is that by which all taxes are assessed upon the rental value of the bare land regardless of improvements and regardless of the future. The objections that have been made are that this system would rob the land-owner of his rent and would retard improvements and would itself promote favoritism, because land-owners would be the only ones to pay taxes.

These objections are answered by stating that to the real estate owner who is making the proper use of his land the change from mixed taxes to a single tax on land value would be very slight. To those who are not making the best use of their land, but who have, for instance, encircled it with a high board fence and are waiting for a rise in value, the single tax system would be a stumbling-block, as its advocates believe it should.

"Two objections seem to place themselves in the way of a single tax scheme, one, the great difficulty of securing its adoption on account of the radical changes it proposes, and the other the total exemption from taxation of a large portion of the population. If the single tax people propose to make all the land in this country government property and parcel it out among the inhabitants, we predict difficulties in the parceling process. If they propose to allow the land to remain in private ownership, as it is now, the majority of the people would enjoy representation without taxation."

Municipal Clerks' Association—County of Oxford.

(Special to THE WORLD.)

ANNUAL MEETING.

The fourth annual meeting of the Municipal Clerks' Association of the county of Oxford was held at Woodstock on Tuesday, October 22nd. President A. McFarlane, of Otterville, in the chair. All of the clerks in the county were present except two. After reading the minutes of previous meeting, the secretary, W. Fairley, of Norwich, stated that he had communicated with the attorney-general, as directed at last annual meeting, in reference to (1) amending the Jurors' Act; (2) making clerks issuers of marriage licenses, *ex-officio*; (3) granting a reasonable fee for compiling reports and returns to government. The committee appointed to draft a set of rules for the government of the association and to prepare a programme for the meeting, presented their report, which was adopted.

Mr. McFarlane, clerk of South Norwich, read a paper, explaining his method of "making up the collector's roll."

By way of introduction, Mr. McFarlane stated that two classes of municipalities were represented in the meeting, namely, town or village and rural or township, and that municipal law is operated somewhat differently in each. As he represented the latter class, his remarks would apply more particularly to townships, and be of interest to township clerks. The paper was as follows: The collector's roll is next to the assessment in importance. On it depends the financial well-being of the municipality, for through it the money required for all municipal purposes, including education, has to be raised. As soon as possible after the return of the assessment roll, in May, I prepare what I call my "School Section Book," in which is placed the names of the ratepayers by school sections, and opposite each name is placed the amount of the ratepayer's assessment in the section, as shown by the assessment roll. Then the amount of assessment in each school section is ascertained and forwarded to the trustees, to enable them to strike the rate when making out their annual requisition, to be sent to the clerk by August 1st. I have to say that in many cases the trustees do not attend promptly to their duty in this connection. After the by-law, levying the various rates is passed, I commence to make up the roll by transferring from the assessment roll the names of ratepayers, together with the other particulars necessary. I make a sort of ready-reckoner by calculating the different rates on amounts ranging from \$25 to \$10,000, with which it is an easy matter to fill in the roll. I add up each page separately and carry the totals to a summary at the end. It is best to fill only one rate on the roll at a time, and test the correctness of it by checking the total at the foot of each page with the total assessed value of the page.

After the other rates have all been entered the school rates are transferred from my school section book, and in doing this I have to be most careful, for there is no way of testing the correctness of the entries until the school rate column is filled in through the whole roll and added up. If an error should be made in entering amounts for school rate it may be necessary to go through the roll to discover the error. The statute labor unperformed is next entered; in this matter the clerks have most reason to complain. It is impossible to get overseers of highways to be prompt in making their returns; they seem to think it a small matter to change the totals of the roll. I have come to the conclusion that this trouble will be of annual recurrence while the statute labor system continues. I then enter the dog tax. In reference to this, most municipalities are defrauded out of a great portion of the dog tax. It is well known that assessors seldom, if ever, get more than two-thirds of the dog population on the roll, and many are the schemes resorted to by dog owners to evade his vigilance. On one occasion, when serving copies of a drainage by-law, I was accosted by six dogs on my round that were not on the assessment roll, and, as an experiment, I put them on the collector's roll. Although the owners had their suspicions aroused when served with the tax notice, yet they dared not complain for the correctness of the notice in that respect was plainly visible to the collector. Dogs may be taught to keep their weather eye on the assessor, but that precaution is seldom thought necessary in regard to the collector. To return to the collector's roll: After making all the entries in the roll, excepting filling in the total of taxes column, I commence to make out the tax notices (for that duty is put upon the clerk in my municipality) and after entering the amounts of the several rates I add them together and enter the total on the notice, and in the proper column on the roll. The total column, page by page, is compared with the total of all the rates on the page, and if they agree I am sure the page is correct. At the end of the roll I make a summary of the totals of each page and add together to get the grand total of each rate and tax on the roll, and with this I prepare a form in which the collector enters the amount actually collected for each rate and tax, the clerk's certificate completes the roll, the collector's declaration of office being made, and his receipt for the roll taken, he goes forth fully furnished to collect the taxes, and the heaviest of the clerk's duties for the year are completed.

The paper brought on a lively discussion. The speakers referred to the whole routine of levying and collecting taxes and special rates; the best form for tax notices and the by-law to legalize them as a sufficient demand, which brought up the article in the last issue of the MUNICIPAL WORLD on that subject.

The county clerk, Mr. James White, was next on the programme. He delivered an address on "The duty of the clerk to his council and municipality." In the course of his remarks he sought to impress the clerks with the importance of the duties they are required to perform. Their first duty, he said, was to be faithful and honest in their official capacity, and, although they might personally like one councillor better than another, they should not practice favoritism. The clerk should be punctual in the performance of every duty, and have no official secrets from his council. His work should be open to every ratepayer, as the statute directs. These, he thought were the basic principles upon which the clerk should act in the performance of his duty towards both council and municipality. He looked forward to the annual meeting of the clerks with a great deal of interest. These meetings were helpful to him, and he was sure they were to all who took part in them. At the last January session of county council he had succeeded in arranging matters so that the grant for expenses of the annual meeting of the association will be continued from year to year. The chief purpose of the meeting is to consider and discuss the annual statutes so that clerks may be familiar with and understand the changes and amendments made in the laws affecting municipalities. The clerk's influence in regard to the administration of these laws will largely prevail, and to a great extent this will be good or bad according as the clerk gives much or little attention to thoroughly understand them.

At the conclusion of the address a hearty vote of thanks was tendered to Mr. White for the advice and instruction given.

A question drawer was established, and a committee of three of the most experienced clerks appointed to submit answers to the association for discussion and final acceptance or rejection. This proved an interesting feature. Among the questions asked were:

1. In the case of a union school section is it sufficient that the trustees notify the council of the municipality in which the school house is situated of the amount they require for school purposes, or should the council of each municipality interested in the section be requested by the trustees to raise the portion of the amount required according to its liability under the award provided for by section 95 of the Public Schools Act, 1891? After discussion it was agreed that the trustees should serve a requisition upon each council concerned for the amount required from the portion of the section in the municipality.

2. After the collector's roll has been delivered to the collector can the clerk recall the roll to insert a special rate, the amount of which was not known until after the first day of October? The answer

was no, but under the Ditches and Watercourses Act it should be held over to the following year, and then put on with seven per cent. added.

3. Has the council of a local municipality power to exempt property from the payment of county rates? The answer was no. The assessed value of the exempted property should be on the copy of the roll sent to the county clerk so that the county rate can be imposed on it, and the rate must be paid on the property by the municipality whether it is collected from the property or not.

4. Has a person assessed as farmer's son the same qualification to vote that his father would have? Answered yes, excepting that he cannot vote for school trustee, according to a case decided by the courts.

Many other questions of minor importance were asked, discussed and answered, when possible to get the necessary information.

The Amendment Acts of 1895 were taken up and a resolution passed, favoring the repeal of the law requiring councils to publish a financial statement after the 15th of Dec. each year.

The clerk of the peace when sending out the notices of the number of jurors required to be selected in each municipality names the letter the selectors are to start with. After discussion it was decided that he has no authority for so doing.

A. McFarlane, of Otterville, was re-elected president, and Wm. Fairley, of Norwich, was re-elected secretary. The meeting then adjourned to the first Thursday in September next.

A good road enables the lazy farmer to loaf longer at the village store, and it makes it possible for the thrifty farmer to go back and get another load.

St. Mary's, Ont., is to be lighted by thirty-two arc lights of 1,000 candle-power each. It is believed that arc lights will be cheaper and more effective than incandescent.

The plans for a complete system of sewerage for the city of Belleville as designed by Henry Carre, a member of the Canadian society of civil engineers, have been accepted by the Provincial Board of Health, and are being carried out under the local improvement act.

The International Radial railway company is asking Hamilton for a subsidy large enough to warrant them entering that city with their electric railway. The company will include the following places in their route: Millgroove, Carlisle, Freelon, Morriston and Aberfoyle, and the townships of East and West Flamboro, Beverly, Puslinch, Guelph and Waterloo, giving the residents of these places rapid and cheap communication with the markets of Hamilton and Guelph and connection with the C. P. R. system at Shaw station.

CORRESPONDENCE.

This paper is not responsible for opinions expressed by correspondents.

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

Rates in Collectors' Rolls.

To the Editor of THE MUNICIPAL WORLD :

DEAR SIR,—Your reply to question of F. J. C. in October issue, while in a literal sense quite correct, no doubt, yet I aver that you are making a hard and fast rule, that cannot be followed out. You say the safe course is to follow acts of parliament to the letter. But while this is good advice, it is also true sometimes that acts of parliament in some respects are impracticable.

In the matter of preparing collector's rolls, referred to by F. J. C., some good purpose may be served in township municipalities, where regular ledger accounts are not kept, to have each rate computed separately in the collector's roll; but even in such cases where is the object, or of what value is it, if the collector does not show each rate separate on the statement of taxes he renders? And it is well-known that in most of instances he sets down the amount produced by the aggregate of the rates only. It is necessary that the several rates levied for their respective purposes should be printed on the tax-demand, where every person can see what quota they pay toward each debt or expenditure of the municipality. But more than that is superfluous, serves no purpose whatever, and is more likely to cause mistakes. The same reasons apply to the preparing of collectors' rolls. If the clerk shows in the heading of the roll on each page, the rate for each purpose it should be sufficient. It is simply unnecessary to compute each rate separately—carrying down five or six columns probably in a roll. The total rate computed on assessment is better. If a summary is made at the back of the roll, showing total assessment with the amount produced on account of purposes for which each rate was levied; the treasurer can then credit each account with the amount produced.

As shown, the spirit of the law has been adhered to, while a more practicable and business-like mode is found of carrying it out.

CLERK.

[All answers to questions are in accordance with statutory law and decisions of the courts as we find them. Officials of experience are often in a position to point out how the present laws may be improved, but until these are amended, they are required to comply therewith.—Ed.]

The bad roads habit that has so long afflicted this land must and shall be overcome.

The proposed sewerage system of Galt, Ont., is being threshed out with much vigor. It is estimated that the cost to the town of building six miles of sewers will be \$50,000.

Municipal News.

The town clerk of Orillia refused to certify to the collector's roll of that town on the ground that the council had neglected to insert the debenture rate in the by-law striking the rates. He claimed if he should certify to it he would become personally responsible for the \$8,500 debenture falling due this year. A meeting of the council was called, and the clerk was upheld in his contention.—*Uxbridge Journal*.

Midland town councillors are progressive and sensible. The town has a fire brigade of twenty men, and of course cannot afford to pay big salaries, but the councillors propose to do the best thing and insure the members against accident or death free of charge. Any member injured sufficiently at a fire or elsewhere so as to be incapable of work will receive \$5 a week for twenty-six weeks, the payment then terminating; if he dies within twenty six weeks' time after receiving an injury his heirs will receive \$1,000. The cost to the town will be about \$150 yearly. There is a suggestion in the above for Lindsay town council. The salaries of the firemen are, we believe, about \$20 per man—barely enough to replace the clothing destroyed while serving the town, and allowing no recompense for the exposure to which they are subjected in all kinds of weather, and which must eventually affect their constitutions. If the insuring of the whole number be considered too much for one year, the insurance could be spread over three or four years, seven or eight of the men being taken in each year.—*Post*.

The county council of Peterboro' at its June session appointed a special committee to investigate into the system of construction and maintenance of the public roads in the county of Hastings. This committee made a tour of the county, and have prepared a lengthy report giving particulars received from the ratepayers and officials interviewed, all of whom were unanimous in recommending a system of county roads. The concluding sections of the report read: We travelled through the township of Marmora, Madoc, Hungerford, Thurlow, Sidney, Stirling and Rawdon, a distance of about ninety miles, through sections of country as varied as it is possible to find in our own county. We made diligent inquiry from public officials and private individuals, and there were no exceptions or differences of opinion in respect to the expenditure of the money that has been expended on the roads, and in view of this and what we have seen for ourselves we have agreed to the following presentment:

"Having viewed the roads, we are thoroughly convinced that the system of construction and maintenance of roads as adopted by the county of Hastings is

good, and meets with our approval, and we would recommend, if thought advisable, that this system be adopted by the county of Peterborough."

At the September meeting of the Rochester township council the reeve gave notice that he would, at the next meeting, introduce a by-law to abolish the present system of statute labor, and have the same collected as other taxes are collected, the rate to be 50 cents per day. The by-law is to be submitted to the ratepayers at the next municipal election.

Thomas Lancaster, of East Zorra, was summoned before a Woodstock court to show cause why he should not pay for two sheep belonging to his neighbors which were alleged to have been killed by his dog. "I made what I consider a fair proposition," said Lancaster. "I offered to kill the dog, and if there was mutton inside of it I was to pay half the value of the sheep killed, and if it was proven that the dog was innocent, then they were to pay me \$10 for the dog."

There is an interesting case in progress at Berlin. The council had some \$2,000 worth of granolithic sidewalk laid, but although interested parties gave notice that they were not satisfied with the job, the council paid the contractor. Writs have since been issued and served on the mayor and councillors, holding them individually responsible for the payment. The result of the action taken is that, if it can be proven that the sidewalks laid are not according to contract, the councillors are directly responsible to the citizens for the amount paid over to the contractors.

At the recent Peel fall assizes the grand jury brought in the following presentment: We have considered the suggestions made by your lordship in reference to a county poor house, but owing to the stringency of the times, together with the non-existence of any great poverty in our county (having found only three vagrants in the jail), and the strong objections nearly all poor people entertain to being sent to a poor house, and believing that our poor are pretty well cared for by the different municipalities in our county, we cannot at present advise the erection of a poor house. We are of opinion, however, that persons sent to jail for no crime ought to be kept separate from criminals if possible.

Those who think while toiling will always govern those who toil without thinking.

Official incompetency is as great a menace to the state as official insincerity or official dishonesty.

The most effectual way to prove your ability to fill a place of greater responsibility is to fill well the place you now occupy.—Dr. Werner.

ENGINEERING DEPARTMENT.

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

Pure Water for Cities.

It is undeniable that an abundant supply of water for all cities and towns is not only desirable from every standpoint, but it is absolutely necessary. Health, cleanliness, safety and industries demand it. It is a well known fact that there is an undue prodigality in the use of water, and with the quantity now used every city should afford more public baths, playing and drinking fountains.

American cities are far behind many European cities in these benefits, and yet afford so much greater supply. While every provision is being made for a generous supply, and millions upon millions of dollars are to be spent in storage and distribution, there is comparatively little being said or done about securing absolute purity. So much serious trouble is occurring all the time at various places from polluted water that it seems inexplicable that those in authority should be slow to take action toward securing a perfectly pure water for the people.

First attempts were made at filtration in England about fifty years ago, and ever since Europe has been experimenting in filtration of public water supplies. Obvious benefits are demonstrated in the decrease of death-rates wherever filtered water has been permanently established.

Filtration, as carried on under the latest improved methods, is not a costly matter. It is vastly cheaper than sickness and death to a community. It is commonly thought that if filtration clarifies water, that is sufficient; this is a mistake, and can readily be understood to be so when it is known that a million or more bacteria may be present in a glass of clear water, and yet not affect its clearness. The filtration of water means straining it through a substance which removes all or most impurities, and it is not properly done unless the straining is so fine as to remove the infinitesimals called bacteria, which measure one-thousandth of an inch, more or less. It is the only absolutely safe method as far as is known at the present time for domestic purposes when the supply comes from the surface, as from rivers. The latter water supply is more likely to be wholesome than the others, for the reason that large reservoirs afford time for water to settle, and any pathogenic bacteria which may be present have an opportunity to sink to the bottom or be destroyed by the beneficent bacteria. There is also more or less beneficent action upon the water by the sunlight, but even this protection is not considered entirely sufficient in the light of recent experiments.

Filter-beds are unanimously agreed upon by almost all expert engineers as the

only true way of filtering water for public supplies. A filter-bed consists of a horizontal layer of rather fine sand, supported by gravel and underdrained, the whole being inclosed in a suitable basin or tank. The water in passing through the sand leaves behind upon the sand grains, the extremely small particles of which are too fine to settle out in the settling basin (through which the water first passes direct from the river for the purpose of allowing the mud to settle), and is quite clear as it goes from the gravel to the drains and pumps, which forward it to the reservoir or to the city. The coarser matter in the water is retained on the surface of the sand, where it quickly forms a layer of sediment which itself becomes a filter much finer than the sand alone, and which is capable of holding back under suitable conditions even the bacteria of the passing water.

When the layer of sediment becomes so deep as to prevent the proper straining of the water, the rate of pressure and other features being regulated by expert superintendence, the layer is cleaned. This is done at regular intervals. This sediment layer is a valuable element in aiding perfect filtration. It becomes a sort of jelly-like mud, formed of the bacteria and other particles, which afford not only an almost solid mass which holds back the infinitesimals, but is a kind of battlefield where the opposing armies of bacteria slaughter the harmful kind, thus cleaning out those we would be rid of.

So valuable is this sediment layer that after a filter-bed has been scraped clean a new thin layer is allowed to form before the water passes into the basin.

In speaking of the efficiency of the system of mechanical filtration in the city of St. Thomas, the city engineer in a recent report to the board of water commissioners said: "I consider the service and utility of our system clearly shown from the decided and beneficial results of chemical and bacteriological analysis of the water before and after filtration. Surely these proofs must convince those who at one time were opposed to the system, on the ground that it would not clarify water, and obstinately denied the claim that soluble matter or morbid germs could not be filtered out of water, and even now it is possibly useless to present to such men existence of the facts which they have so long forbidden with the whole of their professional and official authority. I have no hesitation in pronouncing, from the already ample and accumulating proofs that chemico-mechanical filtration properly provided and managed, is now an art that can be relied on to produce from contaminated streams a practically pure grade of water, free not only from suspended, but from soluble and even living ingredients, and that not in limited quantities merely, but in water tolerable to the senses.

Farmers and Good Roads.

It is the "old county paper" that the farmers read most carefully. A translation of some learned scientist's essay, republished in the *Uppercrust Review*, never touches them. They never see it. Not that the farmers of the country are not extensive readers, but their reading, like charity, begins at home.

If Bill Jenkins, their local newspaper man, says they should have better roads in their vicinity, it carries with it ten times the force it does when Prof. Noah Heap Whiskers, of Yarvard College, says the same thing in the *Hummingbird Critic*.

The rural press is in touch with the people, and it is through the country newspaper that the gospel of good roads is now being preached to the farmers of the land.

To the farmers who, when the subject of good roads is under discussion, declare "we will not submit to additional taxation to improve our roads," the rural press responds: "You are submitting to taxation every day, the most burdensome taxation, by your failure to tax yourselves to improve your roads. The wear and tear of your vehicles, your losses in time on account of poor roads, your losses by reason of the small amount of freight you are able to transport, and above all the heavy losses that poor roads give to the reputation of the state constitute an annual burden of taxation ten times greater than the amount you would be compelled to bear to give you improved highways." With the local newspapers in every vicinity working for improved highways, and the agricultural press paying especial attention to the subject, the farmers will soon be as enthusiastic for good roads as their brother wheelmen.—*L. A. W. Bulletin*.

Impassable Roads, Sidewalks and Law.

We are asked whether a wheelman may ride on the sidewalk when the road for any reason is impassable.

We do not understand that from a strictly legal standpoint the condition of the street has anything to do with the case, though morally it should be taken into account in passing sentence on the arrested wheelman.—*L. A. W. Bulletin*.

The town council of Dundas, Ont., have at length decided to replace the Creighton road bridge by an entirely new one and the Hamilton bridge company have been awarded the contract for an iron one.

Windsor, Ont., is going to use natural gas for fuel at the electric light works and pumping station. The annual cost is estimated at \$1,900 at the lighting-station and \$4,000 at the pumping-station which will be a saving of several hundred dollars.

Road Laws and Reform in Roadmaking.

The question of roads, and the best system of maintaining and improving them, has been made a live question in some sections of the province, and by-laws for the abolition or change of the statute labor system will be submitted to the people at the municipal elections in January next. All who are interested in the discussions of the question, and who may be desirous of promoting a new plan to be substituted for the statute labor system will find the following synopsis of our present road laws, and other information especially valuable.

STATUTE LABOR LAWS.

(Section 92) of the Consolidated Assessment Act of 1892, gives the council of every township power to pass by-laws to reduce the amount of statute labor to be performed by the ratepayers or others within the township, or to entirely abolish such statute labor and the performance thereof by all persons within said township.

(Section 93) of the same Act authorizes councils to regulate the rate of service or number of days work to be performed in case of persons assessed.

(Section 94) provides that the council of any township may by by-law, direct that a sum not exceeding one dollar a day shall be paid as commutation of statute labor for the whole or any part of such township, in which case the commutation tax shall be added in a separate column in the collectors roll and shall be collected and accounted for like other taxes.

(Section 95) authorizes the council by by-law to fix the rate at which parties may commute their statute labor at any sum not exceeding one dollar for each days labor.

MUNICIPAL ACT.

(Section 521) of the Consolidated Municipal Act provides that the council of every township may pass by-laws.

1st. For empowering any person (resident or non-resident) liable to statute labor within the municipality, to compound for such labor for any term not exceeding five years, at any sum not exceeding \$1 for each day's labor.

2nd For providing that a sum of money not exceeding \$1 for each day's labor, may or shall be paid in commutation of such statute labor.

3rd. For increasing or reducing the number of days labor to which the persons rated on the assessment roll or otherwise shall be liable, in proportion to the statute labor to which such persons are liable in respect of the amounts at which they are assessed, or otherwise respectively.

4th. For enforcing the performance of statute labor or payment of a commutation in money in lieu thereof when not otherwise provided by law.

5th. For regulating the manner and divisions in which statute labor or commutation money shall be performed or expended.

6th. For reducing the amount of statute labor to be performed by the ratepayers or others within the municipality, or for entirely abolishing such statute labor.

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 of variation equitable and upon such conditions as may be imposed by the by-law.

Section 17, chapter 42, of 55 Vic.,—provides that, on petition of a majority of the ratepayers of an unincorporated village, the township council may set apart the same, and the council of every township wherein a portion has been so set apart to have all the rights and powers conferred on the councils of cities, towns and incorporated villages as respects such portion as shall be so set apart and may pass by-laws which shall apply exclusively to such part as to compel all persons.

(a) To compel all persons (resident or non-resident) liable to statute labor within such prescribed limits, to compound for such labor at any sum not exceeding \$1 for each day's labor, and that such sum shall be paid in commutation of such statute labor, and for enforcing the payment of such commutation in money in lieu of such statute labor, and for the purpose of enforcing such payment like proceedings may be taken against the person in default as are provided for in sub-section 1 of section 98 of the Consolidated Assessment Act of 1892. In case of neglect or refusal to pay any sum for statute labor commuted under section 94 of the said assessment act.

(b) For all purposes specified in sections 612 to 630, inclusive, of this act. (Referring to local improvements and frontage.)

(Section 524) of the Consolidated Municipal Act provides that roads where statute labor is performed are to be public highways.

Section 479 of the Consolidated Municipal Act, sub-section 1, provides for the appointment of overseers of highways, road surveyors and road commissioners, and provides that any member of a corporation may act as commissioner, surveyor or overseer over any road or work undertaken and carried on in part or in whole at the expense of the municipality, and it shall be lawful for the municipality to pay such member of the corporation acting as such commissioner, surveyor or overseer. The same section also authorizes the council to regulate the remuneration fees, charges and duties of such officers.

LAWS AS TO CONSTRUCTION AND MAINTENANCE OF ROADS.

(Section 531) makes the municipal corporations liable for the repair of public roads.

(Section 532) of the same act provides,—that the county council shall have exclusive jurisdiction over all roads and bridges lying within any township, town or village within the county and which the council by by-law assumes with the assent of such township, town or village municipality as a county road until the by-law has been repealed by the council.

(Section 533) provides—that any county council may assume, make and maintain any township or county boundary lines at the expense of the county or may grant such sums from time to time for such purposes as they may deem expedient.

(Section 534) provides—That when a county council assumes by by-law any road within a township as a county road, they shall, with as little delay as reasonably may be, cause the road to be planked, gravelled or macadamized.

(Section 554) of the Municipal Act provides—The council of any municipality may grant aid to any adjoining municipality for road improvements.

(Section 566 sub-section 5) of the same act provides—That the council of every county may pass by-laws for granting to any town or unincorporated village in the county aid by by-law or otherwise, towards opening any new road or bridge in the town, township or village in cases where the council deems the county at large sufficiently interested in the work to justify such assistance but not sufficiently interested to justify the council in at once assuming the same as a county work.

Section 567 provides—That townships may aid counties in the improvement of roads.

Section 612 provides—That the council of every township may pass by-laws for providing the means of ascertaining and determining what real property will be immediately benefitted by any proposed work, or improvement the expense of which is proposed to be assessed as hereinafter mentioned upon the real property benefitted thereby and of ascertaining the proportions of which the cost thereof is to be made on the various portions of real estate so benefitted and for assessing and levying, by means of a special rate, the cost of opening, widening, macadamizing, grading, levelling, paving or planking any street, lane, alley, public-way or place, or if constructing any sidewalk, bridge, culvert or embankment forming part of a highway therein. The provisions of this section do not apply to any work of repair or maintenance and all work or improvements constructed under the said section shall thereafter be kept in a good and sufficient state of repair at the expense of the township generally.

TOWNSHIP ROADS.

In about fifty per cent. of the townships statute labor is performed and may be commuted at the rate of \$1 per day; forty per cent. of the townships have

reduced the rate to 75 cents per day, and in the others the rate varies, being in some instances as low as 35 cents per day.

A number of the townships have adopted a system whereby statute labor may be commuted before a date fixed by by-law at a lower rate than afterwards. This is done to encourage the payment of commutation money to pathmasters before statute labor begins. In other townships the rate is reduced if commutation money is paid to the pathmaster at any time before he makes his returns to the clerk.

In the township of Sarawak the statute labor of two wards is commuted at 70 cents per day, the benefits are so apparent in the extra amount or work performed, and the style and manner of road construction that the difference between commutation statute labor and the old system will not bear any comparison whatever. The conclusion is that the old system of statute labor has served its usefulness, and that better results could be obtained at a commutation of 25 cents per day.

In the township of South Grimsby, the commutation system has been in force in the unincorporated village of Smithville for some time. The authorities recommend the commutation of all statute labor, especially in unincorporated villages.

In the township of Niagara one-half the statute labor is commuted at 50 cents per day.

In the township of Barton statute labor has been abolished and the rate of commutation varies from 35 cents to 50 cents per day according to outlay.

In the township of Malden statute labor has been entirely abolished. Commutation was first adopted, pathmasters were done away with and commutation money raised in each of the four wards of the township and expended by the council. Under this system 50 cents a day went further than one day statute labor. The next step was to do away with commutation, and at present all road repairs are paid for out of the general rate.

COUNTY ROADS.

In addition to statute labor and local expenditure some county councils have assumed and maintain leading roads. In other counties grants are made each year to assist local municipalities in road improvement and in that way equalize the road expenditure.

One-third of the counties do not expend money for road improvements, one-third maintain county boundary lines, and in the remainder annual grants are either made for the maintenance of roads, in the county, or the council has assumed and maintains certain leading roads.

In Perth the Huron gravel road is in charge of the county inspector. The maintenance of this road is paid in the first place out of the county funds and charged to the adjoining municipalities. This

is paid with the county rate not as a part of the rate but paid at the same time.

The county of Wellington maintains 148 miles of gravel road and expends \$50 per mile per annum for maintenance.

The county council of Hastings has control of and maintains nearly 400 miles of county roads—some of these were first constructed as toll-roads and afterwards purchased by the county.

The annual expenditure in this county for road maintenance and construction is from \$12,000 to \$15,000 per annum. The work is done systematically. A superintendent of gravel roads is appointed at a salary of \$700, he paying his own expenses. A gravel road committee is appointed by the county council. Two or more gangs of men are engaged, the foreman of each getting extra wages, the work is put directly in charge of the superintendent who reports monthly to the committee all details as to men, wages, work, etc. The strong points of this system of maintenance are:

1st. The whole work through the committee is directly under the control of the council.

2nd. The work is well done as there is no inducement to scamp it.

3rd. It is done where most required at the best time.

4th. The ratepayers are in touch with those performing the work and for any man to shirk his work will soon reach the superintendent.

5th. By employment of good men continually at the work they become experts and capable of doing more than inexperienced hands.

The cost per mile of maintenance is about \$40 annually.

SUMMARY FOR ONTARIO.

In Ontario we have townships in which statute labor is performed and others where commutation is compulsory at from 35 cents per day upwards, and in some of the more progressive townships the statute labor system has been entirely abolished. We also find in the counties those in which no money is expended on roads, others on which county boundary lines are maintained and an equal number where township expenditure is supplemented by annual grants made for road improvement or maintenance of county roads.

ROAD LAWS IN THE UNITED STATES.

In the United States we find a number of different systems.

California.—In California the county council has a general supervision of roads in their respective counties. Their duties are to open up new roads and to take charge of such roads as have become highways, by usage, dedication or abandonment, to abolish all roads not necessary, and to levy a property-tax for road purposes. This tax is collected each year, to be apportioned to the special road districts entitled thereto, and kept by the

treasurer in separate funds. Each county is divided into separate road districts and each member of the council is an ex-officio road commissioner in his district. It is his duty to see that all orders of the council pertaining to roads are properly executed. These ex-officio commissioners are paid for their services twenty cents per mile one way for all distances travelled by them in the performance of their duties. The roads are repaired by contract, and let to the lowest bidder. The advertisement for all bids specify the road or roads upon which the work is to be done, the kind or character, and the extent of the same, so as to plainly indicate to the bidders the work to be paid for, and when necessary a county surveyor furnishes profiles and specifications for the work. When completed the work is inspected by a committee of the county council, and no payment is made until it has been inspected by them, except that thirty per cent. of the amount of the contract may be advanced after the work is at least one-half completed.

The road commissioners are not allowed to have any interest directly or indirectly in any contract under their control. This system is adopted for all work in the construction and maintenance of highways.

Indiana.—In Indiana a county council, upon petition of fifty freeholders of any township, may submit the question of road improvement to the electors. The petitioners are required to pay all costs of election, and the construction of the roads is let to the lowest bidder. Debentures are issued to cover the cost, running from one to five years. These debentures and interest are paid by special tax upon the property of the townships, towns and cities along the road in proportion to the cost of the road in each. Improved roads may be built on main lines, and their cost assessed upon the lands within two miles on each side. They are in charge of a superintendent appointed by the council, who is paid \$1.50 per day for time actually employed, and are kept in repair by the county in which they are located, the money for this purpose being raised in the towns, cities and townships interested. The rate for this purpose is limited to one mill on the dollar.

Massachusetts.—In Massachusetts, which is rather a small state, a highway commission of three members appointed by the governor has charge of all state roads, and upon petition of a county council may adopt any road as a state highway if the legislature makes appropriation therefor, except that the grading and bridging is required to be done by the county council. These highways are afterwards maintained by the state under the supervision of the commissioners.

New Hampshire.—In New Hampshire each township is a highway district, and all sub-divisions have been abolished. The construction and repair of the highways is in charge of a township commissioner. The expenses are paid by a rate of

not less than two and one-half mills on the dollar, and not more than \$50 per mile of road per year.

New Jersey.—In New Jersey the township roads are under the management of the township council, and debentures are issued for grading, macadamizing and improving the same. The county council may designate certain roads as county roads, and improve the same, the expenses of which is paid one-third by the county, one-third by the state and one-third by the local municipalities through which the roads run. When the owners of two-thirds of the land bounding on any public road undertake to pay one-tenth of the cost of improving such road, it is the duty of the county council to cause such improvements to be made. The appointing of overseers of highways has been abolished, the township council appointing a competent person to superintend all the making and repairing of roads.

New York.—In New York the county council may adopt the county road system, and designate as county roads, highways not within an incorporated village or town. These roads are required as far as practicable, to be leading market roads of the county. A county engineer is appointed and these roads are then maintained at the expense of the county. The engineer and council have full supervision of the construction and maintenance. In all counties adopting the county road system, statute labor is abolished and the money tax system adopted for the repair of the township roads.

Wisconsin.—In Wisconsin the township councils have full supervision and control of the highways, which are constructed and maintained under the supervision of a competent superintendent, who, when appointed, holds his office for three years unless sooner removed for cause. This superintendent has the same charge over the highways as local overseers formerly had. All taxes assessed for making and repairing roads are paid in money, and collected at the same time and in the same manner as other taxes. This law may be changed at any time that the electors' vote decide that the highway taxes shall be paid in labor instead of money for the ensuing year. Statute labor is then performed under the supervision of a superintendent appointed by the council. Under the act, unless a vote is taken every year to provide for working out the tax, the repair of all public roads is provided for by general tax throughout the township.

The joy of a good market is clouded by the grief of a poor road.

An effort will be made to reclaim ten thousand acres of land in Carleton county, Ont., that has been rendered useless by the overflow of the Carp river. The work will cost \$15,000, the greatest part of which sum will be used to blast a rock near Kilburn which dams the stream.

Drainage.

The practicability of drainage of land for agricultural and other purposes has for a long time ceased to be a question. As the population of a country becomes more dense, the necessity for drainage of the more unfavored portions has become apparent, and as "necessity is the mother of invention" the good work was begun. Although their notions of drainage were crude at first, our ancestors' efforts were rewarded more or less. Marked improvements have been made from time to time. The system of dykes and drains in Holland has produced one of the most fertile and populous districts of Europe. But the Romans were probably the first to employ covered drains. They were formed of wood or other substance and were highly praised by Roman agricultural writers. The progress of covered drains has been very slow until about the middle of this century, when it was reduced to a system. From that time to the present, rapid strides have been made in the use of under-drains. These were not at first constructed with earthenware, but with wood, brush, straw or stone.

The tendency in drainage has been, for the last quarter of a century towards permanency, and, so far as the smaller drains are concerned, the object has been pretty well attained. The drainage of small areas is well understood in many localities in this country, but could be greatly improved if at least the smaller outlet ditches were constructed in a more permanent manner. It is our object to treat chiefly of these smaller outlet drains, varying in length from one to three or four miles, or of still greater length, owing to circumstances. These may be placed under two classes: First, those which empty into streams or outlets, which do not afford sufficient outlet without improvement. Second, those which empty into streams which afford sufficient outlet without improvement.

With the first-class nothing of a permanent nature can be done until a good outlet is secured. This must be had at almost any cost, unless we are still contented in the good old way of digging out the fall in the upper course of the stream every three or four years. But with a view to permanency and economy, this main outlet must be made one good improvement. In doing this we must consider the factors of straightness, depth, width, slope of banks and the removal of excavated earth as well as such portions of banks likely to slide into the ditch to such distance as to secure the best results. Each of these factors and others entering into the betterment of the outlet must be duly studied with a view to permanency, for this outlet will cost something, and must not require improvement every few years. It must and should stand for many years if properly constructed and cared for. Having secured a good outlet for drains of the first-class, and nature having provided us outlets for those of the

second-class, we should now devise some means to construct these shorter ditches in such a manner as to be rid of the constant cleaning-out of these direct outlets for farm drains. The latter should flow freely throughout their entire length all the time. The mouths of tile drains should not be obstructed by back water or by sediment allowed to accumulate in the outlet. This backing of water in drains for even a few hours may seriously injure, if not entirely destroy, a growing crop. Evidently to avoid this calamity the outlet must be deep enough and have sufficient fall to convey the water as fast as it reaches them to the larger outlet mentioned above.

The construction of these smaller ditches so as to secure the proper depth and fall will often require deep cutting, as the natural fall is often greatest at or near the outlet, and as deep open drains are expensive, and require constant attention to keep them free from obstructions too numerous to mention, we must overcome these obstacles in another way. The use of tile or sewer-pipe would certainly overcome many of these objections to open drains. The depth would be always the same. The capacity, when properly constructed, would be a constant quantity. The sediment would be reduced to a minimum.

But there are some objections to tiling or sewer-piping these drains. The first and greatest of all is the cost of tile. The capacity to carry all the water at certain times and other smaller objections will be raised. The expense of tile will vary, of course, with the size, not exactly in proportion to the squares of their diameters, the larger being the cheaper, according to capacity, as may readily be seen by examining price-lists. But would it not be better to increase the cost of the improvement considerably than to be constantly overhauling the old, sluggish water-course and running the risk of losing a crop every few years? By increasing the depth we will increase the capacity, so that the pipe need not be so large as if laid at the usual depth of these open drains, thereby allowing the farm drains to flow freely all the time. In case of an unusual heavy rainfall the water might possibly gather in faster than the pipe could discharge it, forming a head of a foot or more water for a short time. But the pressure created by this head will increase the flow of water and have a tendency to remove all silt that may be deposited, leaving the drain in as good or even better condition than before such flood. There can usually be to advantage a shallow open drain left over or near the tile drain. This can be formed, as the case may require, as to depth and slope of banks, but usually should be from one to three feet in depth, with banks sloping so as to be easily crossed with wagon, mower or plow.

Isn't there a road nuisance in your vicinity that should be abolished?

LEGAL DEPARTMENT.

J. M. GLENN, LL.B. and H. F. JELL, SOLICITOR,
EDITORS.

Drainage.

THE DRAINAGE ACT, 1894.

Sec. 70 of this act makes provision for the maintenance and keeping in repair of any drains constructed prior to the passing of the said act, under the Ontario Drainage Act or any act, in amendment thereof, or under a by-law passed by a county council. Sub-section 1 of this section provides for such maintenance and keeping in repair when the drain does not extend beyond the limits of the municipality undertaking the work, and sub-section 2, when the drain extends into another municipality. It might be well to call attention to sub-section 3 of the section which provides that a drainage work, which commences on a road allowance between the municipalities, shall, for the purpose of this section, be deemed to commence in the municipality next adjoining that half of the road allowance upon which the drainage work is begun—sub-section 1 of section 71, provides that the council of any municipality undertaking the repair of any drainage work under secs. 68, 69 or 70 of this act, shall, before commencing the repairs, serve upon the head of any municipality liable to contribute any portion of the cost of such repairs, a certified copy of the by-law for undertaking the repairs, as the same has been provisionally adopted. This sub-section also states what shall be recited in such by-law, and makes provision for an appeal therefrom by the council of the municipality so served to the drainage referee—within thirty days after said service has been effected—the grounds of such appeal may be that the amount assessed against lands and roads in the municipality so appealing is excessive, or that the work provided for in the by-law is unnecessary, or that such drainage work has never been completed through the default or neglect of the municipality—whose duty it was to do the work—sub-section 2 renders it incumbent on the council of the municipality on which service has been effected as before-mentioned within four months after such service to pass a by-law to raise and shall within said period raise and pay over to the treasurer of the initiating municipality the amount finally settled upon, as being assessed against lands and roads in the municipality. Sec. 72 contains important provisions as to the varying of the proportions of assessments for the maintenance of any drainage work, by the council of the municipality which is liable for such maintenance. Such variation may be made in the report and assessment of an engineer appointed by the council to examine and report on the condition of the work or the portion thereof as the case may be, and on the liability to contribute for land and roads not assessed for the original contribution

of the drainage work and which has become liable to assessment under the act. In his report the engineer may assess lands and roads in the municipality undertaking the repairs and in any other municipality or municipalities from which water flows through the drainage work into the municipality undertaking the repairs. The engineer shall not, however, except after leave given by the referee on an application, of which notice has been given to the head of the municipality affected, assess for such repairs any lands or roads, lying in the municipality or municipalities into which water flows through the drainage work from the municipality undertaking the repairs. Sub-section 2 of this section provides that the proceedings upon such report and assessment shall be the same or nearly, as may be upon the report for the construction of the drainage work. Sub-section 3 provides that any council served with a copy of the engineer's report and assessment may appeal from the finding of the engineer, as to the proportion of the cost of the work for which the municipality is liable to the referee, the proceedings in such appeal shall be the same as in other cases of appeal to the referee under the act. In section 73 provision is made for the case of a municipality refusing or neglecting to maintain any drainage work after reasonable notice in writing shall have been received from any person or municipality interested therein, and who or whose property is injuriously affected by the condition of the drainage work. In such case the municipality is compellable by mandamus issued by the referee or other court of competent jurisdiction to maintain the work, and is liable in pecuniary damages to any person or municipality who or whose property is injuriously affected by reason of such neglect or refusal. The notice referred to above may be set aside, or the work required thereby may be varied as follows: Any municipality after receiving such notice may, within fourteen days thereafter, apply to the referee to set aside the notice. Sub-sections a, b, c, d, e and f set forth fully the formalities to be observed in carrying through proceedings of this kind.

LEGAL DECISIONS.

COOK VS. TATE.

Fences—Division Fences—Proper Mode of Construction—Trespass—Fence Viewers—R. S. O. ch. 219, sec. 3—Toronto City By-law No. 2447.

The Line Fence Act, R. S. O. ch. 219, sec. 3, provides that "owners of occupied adjoining lands shall make, keep up and repair a just proportion of the fence which marks the boundary between them."

Held, per Ferguson, J., affirming the decision of Armour, C. J., that a boundary fence under R. S. O. ch. 219, should be so placed that when completed the vertical centre of the board wall will coincide with the limit between the lands

of the parties, each owner being bound to support it by appliances placed on his own land:

Held, per Boyd, C., contra, that if the boundary line be between the posts on one side of the fence, and the scantling and boards on the other, so that there is practical equality in the amount of space, occupied by the posts and that occupied by the continuous boards, and if that method is sanctioned by local usage, neither owner has legal ground for complaint.

THE QUEEN EX REL. ST. LOUIS VS. REAUME ET AL.

Quo Warranto—Election of Deputy-Reeve—Irregular Addition of Names to Voters' List—Quashing Election—55 Vic. ch. 42 (O.), secs. 175 and 191.

An election, though by a majority of sixty-six votes, of deputy-reeve of a municipality, who had participated in a transaction by which before polling-day some eighty names were added to the voters' list over and above those certified by the judge to be properly there, was quashed, although only some thirty one of those illegally added cast votes, notwithstanding 55 Vic. ch. 42 (O.), sec. 175, which provides that no election shall be invalid for want of compliance with the principles of the act when the result is not affected.

The meaning of 55 Vic. ch. 42 (O.) sec. 191, is that cases which have so much in common that they can conveniently be tried together, may be combined in one proceeding.

IN RE UNION SCHOOL SECTION EAST AND WEST WAWANOSH.

Public Schools—Readjustment of Boundaries of Union School Sections—Arbitration—Finality of Award—54 Vic. ch. 55, sec. 88 (O.)

An award of arbitrators under secs. 87-88 of the Public Schools Act, 1891, as to readjustment of union school sections is conclusive for five years, though the award be that no change be made in the boundaries.

REGINA EX REL THORNTON VS. DEWAR.

Municipal Corporations—Municipal Elections—Bribery—Agents—Quo Warranto—Consolidated Municipal Act, 1892, 55 Vic., ch. 42 (O), sections 209-213.

A person cannot be found guilty of bribery under sections 209-213 of the Consolidated Municipal Act, 1892, 55 Vic., ch. 42 (O), unless the evidence discloses in him an intention to commit the offence. A candidate desiring and intending to have a pure election cannot be made a quasi criminal by the act of an agent who, without the knowledge or desire of the principal, violates the statute to advance the election of such candidate.

Municipal elections are not voided for bribery of agents without authority where the candidate has a majority of votes cast.

RE M'FARLANE VS. MILLER ET AL.

Statutes—Drainage and Watercourses Act, 1894, 57 Vic. ch. 55, sec. 22, sub-sec. 6 (O), R. S. O., ch. 220, sec. 11, sub-sec. 5—Directory.

The provisions of sub-section 6 of section 22 of 57 Vic., chapter 55 (O), the

Ditches and Watercourses Act, 1894, which require the judge of the county court to hear and determine an appeal from an award thereunder within two months after receiving notice thereof, are merely directory.

VILLAGE OF LONDON WEST VS. LONDON GUARANTEE AND ACCIDENT COMPANY.

Insurance—Employees' Guarantee Contract—Renewal—Ontario Insurance Corporations Act, 1892, sec. 32, sub-sec. 2—Condition—Misstatements—Materiality.

By a contract in writing, made in 1890, the defendants agreed to guarantee the plaintiffs against pecuniary loss by reason of fraud or dishonesty on the part of an employe during one year from the date of the contract, or during any year thereafter in respect of which the defendants should consent to accept the premium which was the consideration for the contract. The defendants accepted the premium in respect of each of the three following years, and gave receipts entitled "renewal receipts," in which the premiums were referred to as "renewal premiums."

Held, that the contract was a contract of insurance made or renewed after the commencement of the Ontario Insurance Corporations Act, 1892, within the meaning of section 33.

Held, also, that upon the true construction of sub-section 2, the contract could not be avoided by reason of misstatements in the application therefor, because a stipulation on the face of the contract providing for the avoidance thereof for such misstatements was not, in stated terms, limited to cases in which such misstatements were material to the contract.

BRYCE VS. TOWN OF WOODSTOCK.

Judgment in action for damages, tried at Woodstock, without a jury, brought by plaintiff against the town of Woodstock, and defendant Hicks, who owns and drives an omnibus there. The plaintiff was thrown out of the 'bus by reason of its running against boulders at corner of Main and Finkle streets. The learned judge finds that there was reasonable excuse for want of notice to the corporation, required to be given by the Ontario Municipal Act, 1894. He visited the place where the accident occurred, and is of opinion that the stones in question were an obstruction amounting to non-repair of the highway. He finds there was no negligence on part of defendant Hicks, and knows of no principle by which the town can be ordered to pay their co-defendant's costs. Action dismissed, as against defendant Hicks with costs to be paid by plaintiff. Judgment in favor of plaintiff against the town for \$375 and full costs of action.

TOWNSHIP OF MORRIS VS. COUNTY OF HURON.

Action tried before Meredith, C. J., without a jury at Goderich, to recover 40 per cent. of the amount expended by the plaintiffs in the maintenance of certain of their bridges, founded upon an award.

Judgment for plaintiffs with costs for 40 per cent. of the expenditure made by them for the maintenance of the bridges mentioned in the award before the 1st September, 1894. If the parties cannot agree as to the amount, there will be a reference to ascertain it.

HAGGERT VS. TOWN OF BRAMPTON.

Judgment in the Divisional Court at Toronto, on appeal by plaintiff, the liquidator of the Haggert Brothers Manufacturing Co., from the judgment of MacMahon, J., in favor of defendants in an action of detinue or trover for certain machinery and plant claimed by plaintiff as chattels of the company, but claimed by defendants, the corporation of the town, as part of the freehold of the premises known as the Haggert foundry, in the town of Brampton, which passed to the corporation under a mortgage. The corporation sold some of the articles in question to the defendants Blain and McMurchy. Judgment for plaintiff for delivery of chattels unattached to building, other than patterns, without costs. As to patterns, new trial ordered or reference to Master, as parties may elect, reserving costs in case of reference. In other respects judgment of MacMahon, J., affirmed.

HOPKINS VS. TROTTER AND OWEN SOUND.

Judgment has been given in the action taken by Miss Hopkins to recover from the town of Owen Sound and Mr. Richard Trotter damages for injuries received by that lady through a defective approach to the premises of Mr. Trotter. The action was tried by Mr. Justice Ferguson at the last assizes here, and a verdict was found in favor of the plaintiff for \$200, the judge reserving for decision the legal point whether the defendant Trotter owed a duty in law to the plaintiff. Notice to the corporation not having been given in time by the plaintiff the town of Owen Sound was released. The legal point raised had not previously been decided in the courts and is an important decision. It is now settled that a property holder having an approach to his premises for his own benefit is liable to the general public to keep such approach in repair apart altogether from any liability there may be on the part of the municipal corporation. Judgment was given for \$200 with costs. *Times.*

NEWSOME VS. OXFORD.

The finance committee of the Oxford county council have decided not to appeal from the decision in *Newsome v. Oxford*, published in *THE WORLD* for October. The verdict was thought to be unjust, but the committee as a whole favored a settlement without incurring the further expense consequent upon an appeal. The basis of settlement which seemed to meet the approbation of the committee and which will in all probability be effected is that the county officials accept a lump sum annually in lieu of all cost and then purchase their own stationery.

A Campaign Trick.

The following story is told by Edward J. McDermott in an article entitled "Fun on the Stump," in the October number of *The Century*.

A few years ago a plain country doctor and a Mr. May, who was fond of jewellery, and wore a valuable diamond stud in his shirt-bosom, were running for the legislature in one of our counties. The race was close and hot. At one speaking the doctor made the following fierce and and dangerous thrust at his opponent: "Fellow-citizens, don't you want an honest man in the legislature? Of course you do. Now, what sort of man is my opponent? Why, gentlemen, look at that magnificent diamond he wears! It is almost as big and bright as the headlight on a locomotive. Your eyes can hardly stand its glare. It is worth hundreds—may be thousands—of dollars. At what valuation do you suppose he has put it for taxation in his return to the state assessor? Why, at the pitiful sum of \$20!" The crowd yelled for the doctor. Three days later the two met again in joint debate. Again the doctor took up his telling theme, and held forth eloquently and passionately in denunciation of dishonesty, and diamonds, and false assessments, and then he again told of May's false return to the assessor. "Look at that gorgeous pin, gentlemen! My eyes can hardly endure its dazzling rays. Solomon in all his glory—"

"Hold on there, doctor!" said May. "Do you mean to say that this pin is worth more than twenty dollars?"

"Yes, I do—twenty times or fifty times twenty dollars!"

"Would you give twenty dollars for it, doctor?"

"Of course I would."

"Well, you can have it for that."

"All right," said the doctor, and he hurriedly counted out the money and took the pin. Then May rose to speak, and the crowd cheered him. He was undoubtedly "game" and honest. He was willing to take what he said the pin was worth. He was elected. A week after the election he called on the doctor and said, "Doctor, I don't want to rob you of your money. Here's your twenty dollars. That pin you bought was paste. I got it in Louisville after your first speech. Here is my real diamond. If I can ever serve you, let me know."

Law and legislation are not, or should not be, artificial things. The law of a growing national or municipal organism is begotten of its own requirements and adapted to the stage of evolution reached, to be set aside when that stage is passed. The cradle and the bib may be articles of necessity to the infant, but they are most decidedly "*articles de luxe*" for the adult.

When the market price of a vote is \$2.50, what is the value of citizenship and how high does manhood come?

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.

COUNCILLOR.—Is it compulsory for school section to furnish schools and school room for orphan children distributed through the section? Several ratepayers have from one to five of these children for whom they received pay monthly. Our school which is large enough for ratepayers' children is now overcrowded with those orphans. Do we have to build a larger school-room to accommodate those children from Dr. Barnardo's home?

No discrimination can be made between these children and ratepayers' children.

T. W.—In Query, question 3, page 195, of the WORLD, for October, if man referred to does not participate in treasurer's salary and does not pay all orders, do you think he is qualified?

Yes.

J. MCN.—Our school board has asked the council to submit a by-law to the ratepayers for the purpose of raising \$10,000 to purchase a school site and building a new school house.

1. Does it require a majority only or a 2-3 majority of the votes to carry such a by-law?

2. In case of persons entitled to a vote, not voting, does their vote count for or against the by-law or does it count at all?

1. The majority only.

2. The fate of the by-law must be determined by the votes cast only.

C. B.—1. Application having been made to a council to open a boundary line between two townships by having the fences removed off the same, is a motion passed by the council sufficient or will a by-law be required to compel the parties to remove the fences?

2. What is the meaning of sec. 100, s. s. 2, Consolidated Assessment Act, 1892, as our council disagree on its meaning? Does it only apply to lands of non-residents or to residents also? Must the lands of residents be assessed for statute labor in two hundred acre lots or can they be rated on each hundred separately?

3. Is a township treasurer compelled to accept money from the collector whenever or wherever offered to him in the municipality?

4. Two parties have one lot of 100 acres, the one having the front 50 acres and the other the rear. Part of it is swamp. They have a line-fence along the part that is cleared, but have no line in the swamp. They have it fenced along the fence road. The one party's cattle gets through the swamp into the other's lot, and the other tells him to keep his cattle at home, and he replies that he will build his share of the line, but the other will not consent to build his. Can the one party pound the cattle or can the fenceviewers decide between them and compel each to build the line?

5. If a treasurer is robbed of money or loses through the failure of a chartered bank in which money is deposited, not being authorized by the council to deposit in the bank, has the treasurer or his sureties to make good the loss or does the council lose the money?

1. A by-law must be passed by each township council having jurisdiction over the road, or application must be made by one of the townships or a majority of the ratepayers resident on the lots bordering on either or both sides of said lots by petition to the county council under section 556 and following sections of the Consolidated Municipal Act.

2. Section 3 of the Assessment Act entitles a non-resident to have his name entered upon the assessment roll, and where such non-resident has had his name

so entered upon the roll he is placed upon the same footing as a resident under this section. The marginal note appears to us to be misleading. Statute labor must be rated against every separate lot or parcel, but where a person is assessed for lots or parts of several lots in one municipality not exceeding, in the aggregate, 200 acres, the aggregate number of days' statute labor has to be based upon the aggregate value of the several parcels according to the scale provided for by sections 92 and 93. To illustrate this, suppose A is assessed for five separate parcels at \$140 each, under section 93 he ought only to be charged with four days' statute labor. If the statute labor were rated upon each part separately he would be required to perform ten days' labor.

3. The Assessment Act does not fix any place where the taxes are to be paid. They ought, however, to be paid to the treasurer at his office. The taxes might be tendered to him at a time and place when he might be quite justified in refusing to accept them, but notwithstanding such refusal it would still be the duty of the collector to pay them over.

4. This case comes within the jurisdiction of the fenceviewers. In order to express an opinion as to the right to impound, it will be necessary to know whether a pound by-law is in force and what provision it makes.

5. If the treasurer has not been guilty of negligence, neither he nor his sureties are liable for the loss. Without any resolution of the council it would be a proper thing for the treasurer to keep the money in a good, chartered bank. The treasurer would be guilty of negligence if he did not keep it there, unless he had some equally safe place for keeping it. To fasten the liability upon the treasurer in case of robbery it would be necessary to make out that he was negligent in some way. For example, suppose that he carried it around with him or kept it in his house without depositing it in some safe place. The late Chancellor Spragge, in 1879, in the case of Houghton vs. Freeland, defendant being treasurer of a municipality, kept his money in his house, there being no proper place for depositing the same provided by the municipality, and there being no bank in the county within a distance of thirty-five miles. Held, that under these circumstances the treasurer was not liable to make good to the corporation the amount of loss sustained by the accidental burning of his house and the destruction therein of the moneys of the municipality; and that his own statement, under oath, which appeared satisfactory to the court, were sufficient evidence to exonerate him from liability.

F. J. C.—1. If our council should wish to change the date for the return of the collector's roll from the 14th day of December, the date fixed by statute, then should they pass a by-law for that purpose before or after the 14th day of December?

Some persons here claim that the change cannot be made by the council until after the 14th day of December.

2. If the council should pass a by-law changing the date for the return of the roll to some day in 1896, before the 1st of February, then is it necessary to notify the collector's sureties of that fact in order to hold them responsible on the bond?

1. The council should pass a by-law before the time for returning the roll has expired, otherwise the collector would have to return it within the time limited by the Act.

2. No.

E. S. R.—1. Our council have imposed by by-law under sec. 53 of the assessment act a percentage of 5% on all taxes, payable in bulk and not paid on or before the 14th day of December. In pursuance thereof, it will be the treasurer's duty to add how much' on the 1st of May next.

2. How do you harmonize sub-sec. 53 which provides for a discount for the prompt payment of taxes before, say November 15th, with sub-sec. 4, which imposes a percentage if not paid on or before the 1st of November. The effect of a by-law framed in accord with the above, would be, would it not, to add say 5% on a person's tax not paid on the 1st November, and then take 5% off again on the 15th November?

3. Allowed his land to go in arrears for taxes and it was sold in 1893 for arrears of the three previous years. He has since been assessed for the land and has paid the taxes i e for 1893 and 1894. He now discovers his land was sold and too late to redeem. Does the fact that he paid taxes these two years excuse him for his omission or failure to redeem his land?

1. The treasurer must add to any balance remaining unpaid on May the 1st, 5 per cent. thereon.

2. Sub-section 4 applies to non residents whose names have not been entered on the assessment roll only.

3. No.

H. J.—In the June number of your valuable paper you say that it is not legal for the clerk of a municipality to hold the office of treasurer. On what do you base your opinion?

Section 271 of the Consolidated Municipal Act of 1892 was enacted in its present form to prevent or make it illegal for one person to hold more than one of the offices mentioned therein. A man holding one office could not make proper declaration for another.

M. E.—Will you kindly inform us through the next issue of THE WORLD the proper method of carrying on an election for school trustees, when the election is required to be held at the same time and place as elections for municipal councillors? When and how nominations are made? Whether separate ballot papers are required, what publication is necessary, forms, voters' lists, return forms, etc., and any other information you deem proper. Where can forms be obtained? Must the annual school meeting be held as when ordinary elections took place.

Who is liable for expenses of elections, printing, publishing, etc.?

Section 103 of the Public Schools Act, sub-sections 3, 4 and 5, define the mode of conducting an election for school trustees by ballot. The nominations are to be conducted at the same time, by the same returning officers and in the same manner as nominations for aldermen or councillors under the provisions of the Municipal Act.

The clerk of the municipality is required to prepare a separate set of ballot papers for all the wards or polling sub-divisions containing the names of candidates nominated for school trustees in the same form

as those used for councillors or aldermen, except the substitution of the words "school trustee" for councillor or alderman, as case may be on said ballot papers.

Under sub section 5 the clerk is required to mark, opposite the names of all separate school supporters, the letters "S. S. S.," and the returning officers are not to deliver to any such person a ballot paper for school trustees.

Sub-sec. 6 provides form of oath required to be made by voters for school trustees.

When elections are held in accordance with section 103 the annual school meeting is not required; this is as provided in section 102. All expenses are paid by the municipality. This is not a large item, being only cost of ballots.

When the election of municipal councillors and school trustees takes place at the same time the column for remarks in the poll-book is used to check those who have voted for school trustee.

The Parish Councillor.

We are in receipt of a copy of *The Parish Councillor*, published in Westminster, England. This paper is the official organ of the parish district and county councils of England. It has assumed a great responsibility, and its educative influence will do much to enable councillors to properly understand the principles of self-government. The act of 1894 introduced many important reforms. Parish, or as they are in Ontario called, township councils, were this year elected for the first time. These councils have to contend with vested rights too numerous to mention, and are under the supervision of the local government board. It will be many years before the people are educated sufficiently to be entrusted with the full management of their local affairs.

The success of municipal institutions in Ontario is owing to their representative character and spirit of independence created thereby. We have not had the difficulties to contend with that now confront the English municipal officer.

An interesting department of *The Councillor* is that in which the grave abuses of usury in England are exposed. The following able articles referring to this question have already been published:

1. List of money-lenders, rates of interest, etc.
2. Money-lenders and the fee system.
3. Description of Money-lenders' Secret Circle.
4. Exposure of Wilberforce, Williams, Wood and Hart.
5. "Religious" money-lenders.—The Carleton bank.
6. Kirkwood and Provincial Union bank.
7. In the money-lenders' clutches.—Plain truths for villages.

We had no idea that such a state of affairs existed in any country. Papers containing the whole series may be obtained by addressing *The Parish Councillor*, 11 Palace Chambers, Westminster, England, the price therefor being two shillings.

Municipal Reform.

Municipal reform is a prominent question in Toronto just now. With a view to obtaining suggestions that will assist in the framing of suitable legislation, the opinions of leading citizens are being obtained. Some of the reforms suggested are as applicable to the smaller towns as the large cities, viz.:

A change of government by commission would be too radical. The right idea is to have aldermen elected for a term of three years, and have them retired in rotation, as is done in the school board and other bodies. If it were not necessary to go to the electors every year we could get a better class of men to enter municipal politics. The amount of time that is lost in canvassing each year to assure election debars business men.

* * *

If all the departments of the city had as capable a head as Engineer Keating the corporation would be better governed. The blunders of our aldermen have cost the city a lot of money, and there is certainly need of a reform of some kind. There are no doubt capable men at our Council Board, but there are others whose places should be filled with better men. The people who vote for these men have themselves to blame for the misgovernment of the city. When they make up their minds to vote for the best man, independent of politics, creed and other prejudicial influences, then, and not until then, will we have a better civic government. The idea of a set of commissioners to conduct the executive work of the city with a fair remuneration is a good one.

* * *

If the people choose to misgovern themselves let them do so by all means. Let them stew in their own juice, and they will perhaps by and by gain experience. If popular government cannot succeed in Toronto, the purest Anglo Saxon constituency on the face of the earth, we may well despair of it succeeding anywhere else. The legislative and the executive work of the city should be separated, and the highest quality of executive power would be secured if there were a permanency of office. Under the present system, where the term of office is for one year, we have one man simply undoing the work that has been done in a previous year. The heads of the departments should have control of the executive work. It is a mistake to have the aldermen as executive officers.

* * *

"A system of municipal government by council has attained every success so far in municipal government, and should not be lightly abandoned. A council should be composed of one alderman from each ward and about half as many aldermen elected from the city at large, all to serve for a term of four years, one-half of the ward aldermen and one-half of

the city alderman at large to be elected at each biennial election. Thus one-half of the council would be always familiar with the public business.

The heads of departments, under proper rules, to appoint subordinates, and to be responsible for their departments to the council. Under a council government there is a greater probability that the business affairs of a great city will be properly conducted than under a system that places the administration of the public business in the hands of two or three men.

"A council government is a public deliberate body, one honest, competent alderman can give publicity through objection on the floor of the council, reported in the newspapers, to the dishonesty or unwisdom of any proposed measure.

"This public discussion of public business is the one essential to good city government. The council government is the responsible government. Every vote cast by an alderman becomes a public record, and that member's responsibility for the result of that measure is absolutely fixed.

A council government corresponds exactly to the system by which all private corporations are managed."

A Heap of Sand.

TOWN PAYS DEARLY FOR LEAVING IT ON THE STREET.

An interesting case from Mitchell which was partially tried at Goderich last fall came up at the Stratford assizes.

The circumstances of the case as reported by the *Stratford Beacon* are as follows: Christina Clark, et al, now of Hibbert, formerly of Mitchell, sued the town of Mitchell and Messrs. Edwards and Campbell for damages for the death of her husband caused by an accident that happened to him while driving along the street in Mitchell, where Edwards and Campbell were building a brick store, and had allowed a heap of sand to remain on the street. The deceased was driving along the street from the station when he was thrown from the rig by it coming in contact with the sand, and sustained injuries which caused his death.

His Lordship recommended that the case be settled out of court. The various counsel retired and after a couple of hours discussion a settlement was reached. The town council of Mitchell was hastily convened and its solicitors' agreement sanctioned. The agreement is that the town shall pay \$875 without costs and the two other defendants, Edwards and Campbell, \$725 and the remaining costs, including costs of the previous trial before Mr. Justice Ferguson at Goderich. Of the \$1,600 awarded, \$1,400 goes to the widow and \$200 to the seven year-old son.

BLANK FORMS

Municipal Election Blanks.

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

Special poll books for 300 names, complete.....

Special poll books, complete, do not include certificates to vote where stationed, required under section 141.

Sheets poll book paper.....
Schedule C, sections 129 to 132.

Poll books, bound, to contain 200 names.....

Poll books, bound, to contain 300 names.....

Poll Books, larger sizes, to order.

Special poll books for 200 names, bound with form containing

- Schedule D, certificate to Assessment Roll
- Schedule G, oath of deputy-returning officer
- Schedule H, declaration of secrecy for 10 or more.
- Declaration of office D. R. O.
- Oaths to be taken by electors.

Special poll books for 300 names.....

Special poll books, any size, to order.

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

*Certificate as to assessment roll.....
Schedule D, section 135.

Declaration of inability to read with attestation clause annexed.....
Schedule E and F, section 149.

*Oath of deputy-returning officer after the closing of the poll.....
Schedule G, section 155.

*Statutory declaration of secrecy.....
Schedule H, section 170.

Ballot paper account.....
Section 155; subsection 4.

Statement of votes, per dozen.....
Section 152; subsection 5.

*Declaration of office of deputy-returning officer.....
Section 271a.

Act for prevention of corrupt practices, for posting up.....
Section 222.

Directions for guidance of voters, for posting up.....
Schedule B, section 126-146.

Packets required by deputy-returning officers at close of poll.....
Section 155.

A—To enclose the statement of votes given for each candidate and of the rejected ballot papers.....

B—To enclose the used ballot papers which have not been objected to, but which have been counted.....

C—To enclose the ballot papers which have been objected to, but which have been counted by the deputy-returning officer.....

D—To enclose the rejected ballot papers.....

E—To enclose the spoiled ballot papers.....

F—To enclose the unused ballot papers.....

G—To enclose a statement of the number of voters whose votes are marked by the deputy-returning officer under the heads "Physical Incapacity" and "Unable to Read," with the "Declarations of Inability" and the notes taken of objections made to ballot papers found in the ballot box.....

Certificate entitling deputy-returning officer, poll clerk and agent to vote where stationed.....
Section 141.

*Oath to be taken by electors.....
Sections 102-105.

Ballot acts for dep'y-returning officers.....
Sections 107-176.

Lead pencils for marking ballot papers.....

Sealing wax sticks.....

Ballot papers printed to order.

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

By-Law Ballot Act Forms

Special pol books for 200 names, complete, with Ballot Act, and all forms required, pencils, sealing wax, etc., for each polling division.....

Special poll books for 300 names, complete.....

Special poll books, complete, do not include certificates to vote where stationed under section 302.

Sheets Voters' List paper.....
Schedule C, section 303.

Voters' Lists (bound) to contain 200 names.....

Voters' Lists (bound) to contain 300 names.....

SPECIAL VOTERS' LISTS FOR 200 NAMES

- (bound) with form containing
- Clerk's certificate as to Voters' List
- Declaration of Deputy Returning Officer
- Declaration of Secrecy, for ten or more
- Certificate of D. R. O.
- Oath of D. R. O.
- Oaths to be taken by electors.

Special Voters' List for 300 names.....

Larger sizes to order.

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

*Clerks' certificates as to Voters' List.....
Section 303.

*Declaration of D. R. O.....
Section 271a.

*Declaration of Secrecy.....
Schedule H, section 322.

*Oath of D. R. O.....
Schedule G, section 316.

*Oaths to be taken by voters.....
Sections 310, 311 and 312.

Declaration of inability to read, with attestation clause attached.....
Schedules E and F, section 149.

Ballot paper account.....

Return papers for making statement of the result of the polling.....
Section 313.

Directions for the guidance of voters for posting up.....
Schedule L, section 307.

Act for prevention of corrupt practices for posting up.....
Section 222.

Packets required by Deputy Returning Officers at close of poll.....
Section 315.

A—The statement of votes given for and against the by-law, and of the rejected ballot papers.....

B—The used ballot papers, which have not been objected to, and have been counted.....

C—The ballot papers which have been objected to, but which have been counted by the Returning Officer.....

D—The rejected ballot papers.....

E—The spoiled ballot papers.....

F—The unused ballot papers.....

G—The Voters' List; the list of votes marked by the returning officer; and a statement of the number of voters whose votes are so marked, under the heads "Physical Incapacity" and "Unable to Read," and the "Declaration of Inability".....

Certificate entitling Deputy Returning Officer, poll clerk and agents to vote where stationed.....
Section 302.

Agent's Declaration.....
Sections 298 and 300.

Agent's Appointment.....
Section 299.

By-law ballot acts for information of Deputy Returning Officers.....

Lead pencils for marking ballot papers,

Sealing wax for sealing packets.....

Ballot papers printed to order.

Ballot boxes, metal, with padlock.....

Assessment Rolls.

Sheets assessment roll paper.....

Sheets Assessment roll paper, non resident

Assessment notices.....
Schedule B, section 47.

School Census books, bound.....
Section 14c.

Declaration for parties to fill in.....
Section 42.

Assessor's guides with notes.....

Assessors certificates.....

Recapitulation of Assessment roll.....

Covers for assessment rolls, leather back..

Assessment Rolls, bound, any size, to order.

Collectors' Rolls.

Sheets Collectors' roll paper.....

Sheets Collector's roll paper, non resident

Collector's receipts bound in books of 100.

Warrant to distrain for taxes.....

Collector's bonds.....

Collector's Guide with notes.....

Covers for Collectors' Rolls.....

Collectors' Rolls, bound, any size to order.

Blank Forms required by the Ditches And Watercourses Act, 1894.

"It shall be the duty of the municipality to keep printed copies of all the forms required by this Act."—Sec. 7, subsec. 2.

B—Declaration of ownership.....

C—Notice to owners.....

D—Agreement by owners.....

E—Requisition for examination by engineer.....

F—Notice of appointment for examination by engineer.....

Notice of filing award.....

H—Engineers' certificates.....

Summons, appeal to judge.....

Full explanatory notes are printed on each form.

Drainage Act Forms.

Petition of owners.....

Oath of engineer.....

Notice to party assessed.....

Oath of member of court of revision.....

Summons, court of revision.....

Notice of complaint.....

List of appeals.....

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BLANK FORMS (CONTINUED)

Forms required under the Voters' List Act.

FOR USE OF CLERK.

- Sheets Form 1—For making printers' copy of Voters' List.
 Form 2—Certificate to be endorsed on Voters' List.
 Form 3—Clerk's Notice of first posting of Voters Lists.
 Form 4—Voters' Notice of Complaint ground of Disqualification.
 Form 5—Notice and Application by Voter to whom persons have transferred Property.
 Form 6—Voters' Notice of Complaint.
 Form 7—Clerk's Report in case of appeals and Complaint to the Judge.
 Form 9—Notice to be Posted by Clerk in his Office with list of Complaints.
 Form 10—Clerk's Advertisement of in Newspaper.
 Form 11—Clerk's Notice to Parties Complaining.
 Form 12—Clerk's Notice to Parties Complained Against.
 Form 14—Report of Clerk when applying for Certificate under section 16.

FOR USE OF COUNTY JUDGE.

- Form 8—Judge's Order for Appointing Court of Hearing of Complaints and Appeals.
 Form 13—Subpena referred to in Section 10.
 Form 15—Certificate of Notice of Complaint.
 Form 16—Statement of Alterations by Judge on full sheet.
 Form 17—Certificate of Judge.
 Form 18—Order for Payment of Costs.
 Form 19—Writ of Execution.
 Form 20—Order of Assessment of Persons omitted from Roll.
 Form 21—Application of Judge against Delinquent Clerk.
 Form 22—Summons—"The Voters' Lists Act".

Public School Act Forms.

- Clerk's notice to trustees with blank requisition on Council for school moneys.
 Notice by township council re alteration of boundaries of section.
 Assessors' report of equalized assessment of union school section.
 Agreement for engagement of teacher's
 Notice to parent or guardian of neglect to educate child.

Line Fences' Act.

R. S. O., Chap. 219.

- 1—Notice to opposite party.
 2—Notice to fenceviewers.
 3—Fenceviewer's award.
 Line Fences' Act.

Arrears of Taxes.

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

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

Miscellaneous Blanks

- Declaration of office.
 Declaration of office (Sec. 271 a).
 Declaration of auditor.
 Declaration of property qualification.
 Certificate of appointment of reeve.
 Certificate of appointment of deputy-reeve.
 Certificate of appointment of councilor.
 Pathmaster's schedule or return of statute labor.
 Pathmaster's notice re noxious weeds.
 Pathmaster's certificate of gravel drawn.
 Notice to attend court of revision.
 Oath of member of court of revision.
 Notice of appointment to office.
 Collectors' bonds.
 Treasurer's bonds.
 Orders on treasurer, in books of 100.
 Notice to contractors, jobs for sale.
 Treasurer's tax deeds.
 Affidavit to be taken by persons having sheep killed.
 Auctioneer's license.
 Pedlar's license.

Poundkeepers' Forms.

- Acts respecting pounds, 10 cents each.
 Poundkeepers' statements.

Tile, Stone and Timber Drainage Act.

R. S. O., Chap. 38.

- Owners' application for loan.
 Section 5.
 By-law imposing special rate.
 Section 17.
 Statutory declaration of applicant for loan required by Act of 1895.
 Debentures, with name of municipality, etc., to order.
 Section 5.

Forms required by Jurors' Act.

R. S. O., Chap. 52.

- Oath to be taken by selectors.
 Sheets Report of selectors, 1st, 2nd, 3rd and 4th division.

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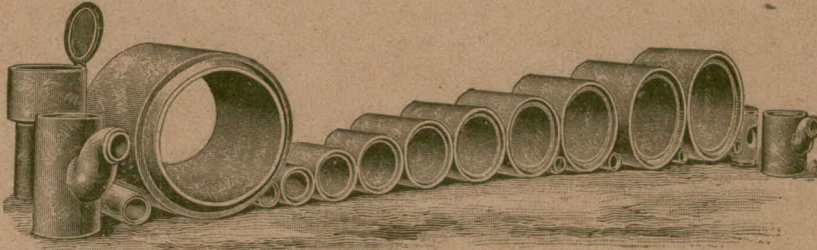
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Grate for Street Gullie

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Ex-Warden, County of Oxford

F. B. Talbot,
William Robinson,
W. G. Smith,
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PATENT RIGHTS FOR SALE. PRICES ON APPLICATION.

Patent Concrete Stone Gullies and Catch Basins.

Extract from report of T. V. Hutchinson, Esq., Medical Health Officer, to the London Board of Health, on the North Catch Basin and Sewer Trap.

"I have made a careful examination of NORTH'S Catch Basin and Sewer Trap. It is made of Concrete, which becomes harder the longer it is in use. It has an automatic valve of iron, which is closed at all times to prevent the escape of sewer gas, except when water is flowing into the sewer. Three of these sewer traps have been in use in the city for some months, and so far no fault can be found with them. Of the sewer traps tried in this city, NORTH'S is the better one; it is less apt to get clogged or out of order; it is made of Concrete, which does not corrode, but on the contrary becomes harder with age. The valve can at any time be lifted out, without disturbing the basin, or a new valve placed in, by merely lifting the top off. Taking everything into consideration, I believe NORTH'S are the best, and besides being cheaper, will stand the test of time better than those made of iron."

The Board of Health, by resolution, unanimously recommended the City Council to adopt the NORTH Trap, for the City of London, for the reason, that it was cheaper than any other apparatus of a similar nature, and it was much more efficient.

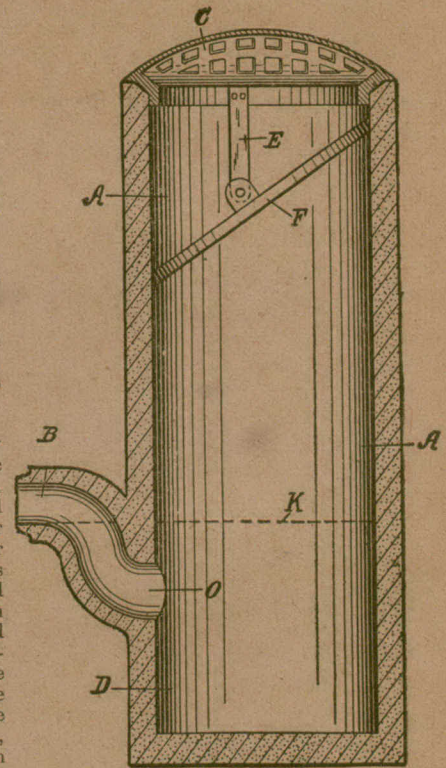
The manufacturer begs to call the attention of Sanitary Engineers, Health Inspectors, Boards of Health, and the public generally, to this Improved Concrete Stone Gully, or Catch Basin, which will obviate and completely prevent the escape of this foul air or gas at this point, as it will be impossible for said foul air or gas to escape through the water trap, as set forth in the patent for this invention. This trap is inclined towards the pocket, and is cleansed by the agitation of the falling water, which agitates and carries into the pocket any sand, stones or other refuse which may temporarily lodge thereon. If the pocket should become filled with heavy refuse, by removing the grate, said pocket can be readily cleaned. It is claimed for these Improved Concrete Stone Gullies, or Catch Basins, that they are superior to iron, because they will not corrode; that they are superior to wood, because they will not rot; that they are superior to bricks and mortar, because they will not be affected by frost and water passing through them. But, on the other hand, the action of the water will tend to petrify and harden these Improved Concrete Stone Gullies, or Catch Basins, and thereby improve them, and this petrification going on for a number of years makes these Catch Basins as hard as stone. In regard to Style No. 2, the standard size is 7 ft. 6 in. long. This gives 5 ft. 10 in. above the water line. If the drain did not admit of this depth, then the automatic valve would assist in preventing the water in the trap from freezing.

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Description of No. 1.

A—Is a Concrete Stone Catch Basin. C—Is an Iron Grate, which prevents bulky matter from getting into the Catch Basin. A. O—Is an opening in the Catch Basin, A, which communicates with the sewer or drain. D—Is a Pocket, in which is collected all sand, gravel, or other heavy refuse, which passes through the grate, C. Standard size. Length 5 ft. Diam'r 14½ ins.



Description of No. 2.

A—Is a Concrete Stone Catch Basin. B—Is a Water Trap, to prevent the escape of foul air or gas from the sewer. C—Is an Iron Grate, which prevents bulky matter from getting into the Catch Basin. A. D—Is a Pocket, in which is collected all sand, gravel, or other heavy refuse, which passes through the grate, C. F—Is an Automatic Valve. K—Water Line. O—Is an opening in Catch Basin, communicating with sewer or drain. Standard size. Length 7 ft. 6 ins. Diameter 14½ ins.

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Waterwork's Office

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DEAR SIR,—I have the honor of informing you that the **Vitrified Sewage Pipes** manufactured in this city by "THE HAMILTON & TORONTO SEWER PIPE CO." are the **only ones** that have been used by our City Corporation for **over 20 years**, during which time **MANY MILES** have been laid. The pipes now manufactured by that Company are **not second to any** that I know of, a vast improvement having been made since the factory was established, over thirty years since. I have no hesitation in recommending these pipes for the sewerage of your town, feeling that they will give you entire satisfaction, as they do here. I am, dear sir, yours truly,

WM. HASKINS.