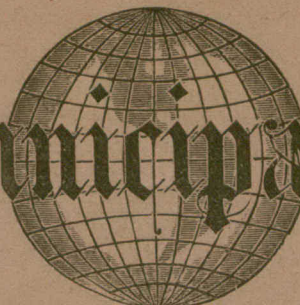


Chas. Dickinson 108

The Municipal World



PUBLISHED MONTHLY IN THE INTERESTS OF

THE MUNICIPAL INSTITUTIONS OF ONTARIO

Vol. 9. No. 10.

ST. THOMAS, ONTARIO, OCTOBER, 1899.

Whole No. 106

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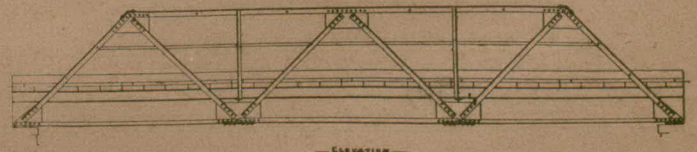
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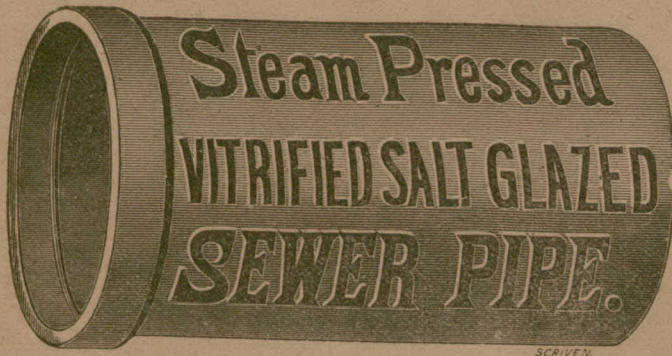
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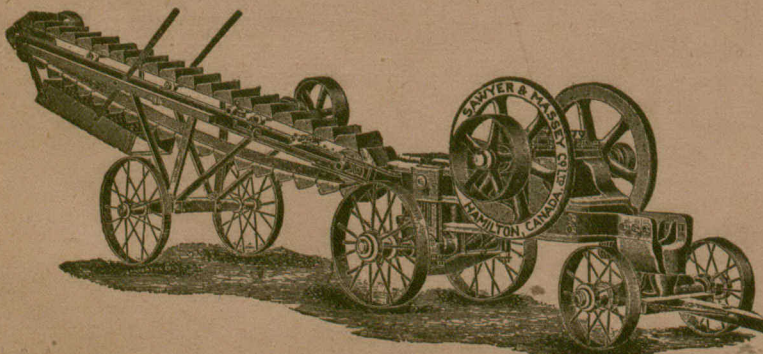
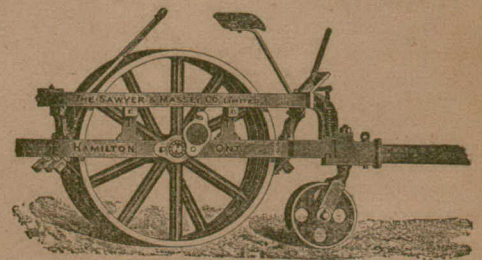
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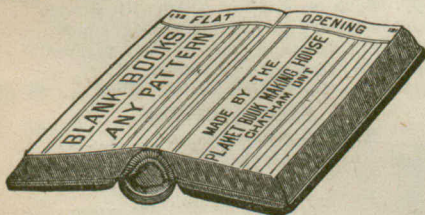
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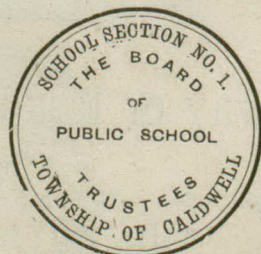


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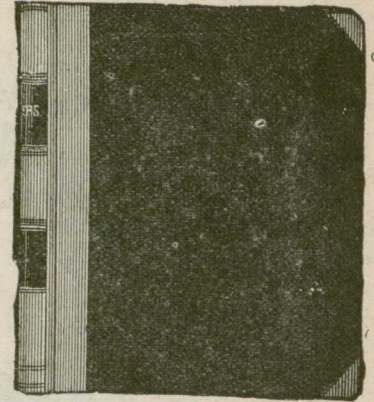
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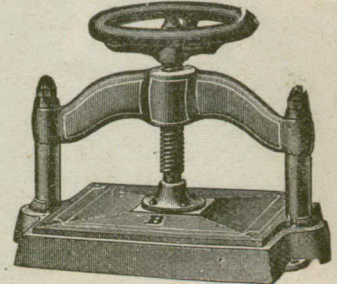


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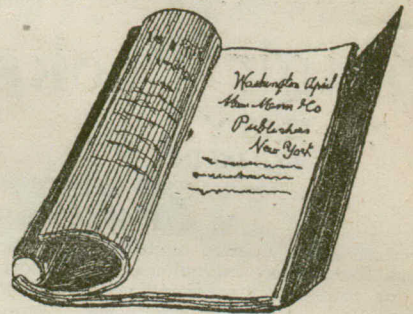
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THE MUNICIPAL WORLD

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

Vol 9. No. 10.

ST. THOMAS, ONTARIO, OCTOBER, 1899.

Whole No. 106

CONTENTS

	PAGE
Editorial.....	158
Selecting Jurors.....	158
Municipal Officers of Ontario—	159
Clerk County of Peel and Township of Caledon.....	
Clerk Town of Bracebridge.....	
Clerk Township of Moore.....	
Clerk Township of Ekfrid.....	
Clerk County of Frontenac.....	
The Transportation of Farm Produce.....	160
Engineering Department—	
Causes of Defective Sidewalks... ..	161
A Municipal Convention.....	161
Good Roads in Cuba.....	161
Good Roads in Renfrew.....	162
Take Care of Them.....	162
He Favored Bad Roads.....	162
The General Funds to Pay One-Third.....	163
Sewers and Street Improvements.....	163
Road Making at Toronto Fair.....	163
Brick Pavements.....	163
A Provincial Board of Municipal Public Works.....	164
A Rare Occurrence.....	164
The Limits of Municipal Enterprise.....	164
The Municipal Conference.....	165
Municipal Reform in the United States.....	166
Assessment (By S. G. Dolson, St. Catharines)	167
Ontario is Healthy.....	168
Division Court Accommodation.....	168
A Novel Idea.....	168
Telegraph Company Assessment.....	168
Question Drawer—	169
396. Poundkeepers and Notice to Fence-viewers.....	
397. Non-Resident Councillors—Leave of Absence—Resignation.....	
398. Municipal Clerks and Dominion Voters' List.....	
399. Poll Tax By-Law—School Trustee Nominations and Election.....	
400. Selection of Jurors.....	
401. Income Voter—Payment of Township Councillor.....	
402. Collector's Seizure—Nomination—When Collector's Duties Commence	
403. Quarantine Expenses—Who to pay.	
404. Ditches and Watercourses Engineer.	
405. Moving Fence on Highways.....	
406. County Bridge Built—Flume of Water Power.....	
407. Clerk's Fees—School Debenture By-Law.....	
408. Statute Labor—Lessee's Mining Lands.....	
409. Place of Voting for Council and School Trustees in Town.....	
410. Council's Liability—Closing and Opening Roads.....	
411. Cattle Guards on Railways.....	
412. New Township—Trespass Road—Closing—Sue the Collector and Sureties.....	
413. Removal of Island Obstructing River	
414. Assessment Father and Sons.....	
415. Reeve's Resignation—Election.....	
416. Culverts in Road Ditches—Sidewalks on Town Line.....	
417. Form of Tax Notice.....	
418. Meat Peddlers By-law.....	
419. Union School and General Rate—Unorganized Township.....	
420. Non-Resident Statute Labor Unincorporated Village.....	
Roads in Ireland.....	172

Calendar for October and November, 1899.

Legal, Educational, Municipal and Other Appointments.

OCTOBER.

2. Last day for returning Assessment Roll to Clerk in cities, towns and incorporated villages where assessment is taken between 1st July and 30th September.—Assessment Act, section 58.
- Last day for delivery by clerks of Municipality to Collectors, of Collectors' Rolls, unless some other day be prescribed by by-law of the municipality.—Assessment Act, section 131.
- Notice by Trustees of cities, towns, incorporated villages and township boards to Municipal Clerk to hold Trustee elections on same day as Municipal elections, due.—Public Schools Act, section 58 (1).
- Night schools open (session 1899-1900).
5. Make return of deaths by contagious diseases registered during September. R. S. O., chap 44, section 11.
- Copy of Roll, or summarized statement of the same, as the case may be, to be transmitted to County Clerk.—Assessment Act, section 83, Assessment Amendment Act, 1899, section 7.
10. Selectors of Jurors meet in every municipality.—Jurors Act, section 18.
31. Last day for passing by-laws for holding first election in junior townships after separation—Municipal Act, section 98.

NOVEMBER.

1. Last day for transmission by local clerks to County Treasurer of taxes on lands of non-residents.—Assessment Act, section 132.
- Last day for transmission of Tree Inspector's Report to Provincial Treasurer.—Tree Planting Act, section 5.
10. Last day for Collector to demand taxes on lands omitted from the Roll.—Assessment Act, section 166.

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The Municipal World

PUBLISHED MONTHLY

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

K. W. MCKAY, EDITOR,

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

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THE MUNICIPAL WORLD,

Box 1321, St. Thomas, Ont.

ST. THOMAS, OCTOBER 2, 1899.

Mr. George Stewart, of the township of Otonabee, has been appointed clerk and treasurer of the county of Peterborough. Mr. Stewart is an ex-member of the County Council and in every way qualified to fulfill the duties of his office.

* * *

The attendance at the Hamilton Municipal Conference was not encouraging. Twenty-two delegates from thirteen municipalities passed a number of resolutions, most of which were suggested by the city solicitor of Hamilton. No action was taken in reference to the assessment of the property of telephone and other companies on the scrap iron basis, although the meeting appears to have been specially called for that purpose.

The success of a Municipal Association depends largely on the use of public money for expenses of delegates attending the meeting, and for their entertainment by the municipality in which the meeting is held. The Ontario Act provides for the payment by city councils of travelling expenses incurred in and about the business of the corporation and for entertainment of distinguished guests, provided the sum required has been included in the annual estimates. Councillors are simply trustees of the taxpayers' money, and are authorized to spend it in a manner set forth in the Municipal Act. If there is a general desire for meetings of municipal officers to discuss amendments to the Municipal Acts, the law should be changed so that councils generally may send delegates.

The officers appointed for the purpose of continuing the Association are, with the exception of the secretary, somewhat visionary, as they are to be elected in their respective municipalities next January. While municipal councillors are elected for one year only, we cannot expect that continuity in municipal procedure that an election for a term of two

or more years would insure. This also affects the organization of a Municipal Association. The officers now appointed may refuse to take an active interest. Councillors should be elected for more than one year and the payment of the expenses of the association and of the delegates duly authorized before another meeting is held; until this is done an effective organization cannot be completed in this province.

Selecting Jurors.

The mayor, reeve, the city, town, village or township clerk, and the assessor or assessors, if there be more than one, of the respective towns, villages or townships in Ontario are *ex-officio* the selectors of jurors for every township and village, and for each ward of every such city or town. They are required to assemble annually on the 10th day of October, at the place where the meetings of the council of the municipality are usually held, or at such other place within the municipality as may, for that purpose, be appointed by the head of such municipal corporation.

Before entering upon the performance of their duties the selectors are required to make and subscribe before a justice of the peace an oath or affirmation, as follows: I, A. B., do swear (or affirm as the case may be), that I will truly, faithfully and impartially, without fear, favor or affection, and to the best of my knowledge and ability, perform the duty of a selector of jurors, and will select from the proper lists the requisite number of the most fit and proper persons to serve as jurors for the year of our Lord 18 . So help me God.

SELECTION.

First, the selectors are required to write down on one or more sheets of paper twice as many names of persons appearing by the voters' list or assessment roll to be possessed of the requisite property qualifications or otherwise duly qualified to serve on juries, as have been required by the county selectors to be selected and returned from the township, village or wards of the municipality. The clerk is required to produce for the information of the selectors, the proper voters' list and assessment roll. In selecting the names for the list mentioned, the selectors are required to proceed from letter to letter in alphabetical order, and write down the names consecutively of all those persons qualified to serve on juries, and not exempt by law, and at each subsequent annual meeting the selectors shall begin at the letter next to that at which they left off the preceding year, and so on until they have gone through all the letters of the alphabet, when they again begin with the letter A. When the selectors have obtained the names of a sufficient number of duly qualified persons, and before they have exhausted the entire number of those qualified in any other letter, they are required at the next annual selection to commence at the beginning

of such letter, but shall not select from the names any persons that were written down and selected from, and returned the preceding year. The selectors shall select from the list at least two-thirds of the persons whose names they have so written down, who, in their opinion, are best qualified to serve as jurors and shall place a number opposite each name of the said two-thirds so selected, and shall then prepare a set of ballots of uniform and convenient size, such ballot shall be numbered to correspond with the numbers opposite the names of the two-third selected, and the selectors shall then proceed to ballot for jurors until the number required from every such municipality by the county selectors has been selected.

BALLOTING.

Place all the ballots in a box, which shall be then shaken so as to mix them, and for one of the selectors to openly draw from the said box indiscriminately one of the ballots, and declare the number of such ballot, whereupon the clerk or one of the selectors present shall immediately declare the name of the person opposite whose name the corresponding number is on the list, and the name and addition of the person whose name is so selected shall be written down on a piece of paper provided for that purpose, and the selectors are required to continue until the necessary number has been completed. After having made such selections by ballot, the selectors shall distribute the names of the persons so balloted into four divisions, the first to consist of persons to serve as grand jurors in high court, the second, of persons to serve as grand jurors in the inferior courts, the third, of persons to serve as petit jurors in high court, and the fourth of persons to serve as petit jurors in the inferior courts, and shall make such distributions according to the best of their judgment.

REPORT.

The selectors are then required to make a duplicate report, under their hands and seal, of their selection, ballot and distribution, which report is required to be in the form of schedule A, of the Jurors Act. One of the reports shall, on or before the 25th day of October, be deposited with the clerk of the peace for the county in which the municipality lies, and the other duplicate with the clerk of the municipality. The clerk of the municipality is required to keep a book and enter the dates of the meeting of such selectors of the municipality, the persons present thereat, and the letters of the alphabet from which the selections of names of persons are from year to year made.

FEEES OF SELECTORS.

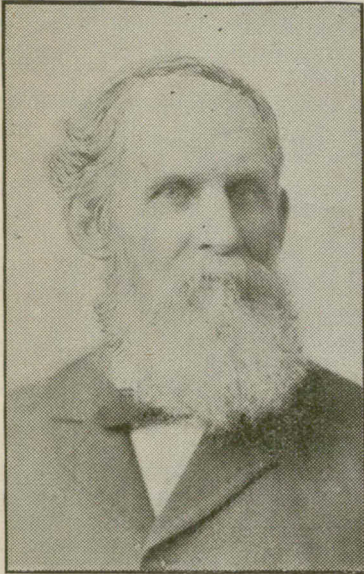
For making the selection and distribution of jurors, the selectors are entitled to such sum of money as is authorized by the council of the municipality.

Every man is either complaining or boasting that he has a very hard or a very easy time of it.

Municipal Officers of Ontario.

Clerk County of Peel and Township of Caledon.

Mr. Kirkwood was born in the township of Caledon in 1829. His early education was limited, being confined to

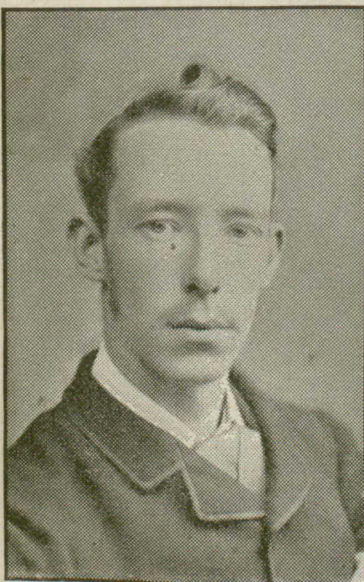


MR. D. KIRKWOOD.

the public schools as they were in his youth. His first municipal office was that of township councillor in 1856. In 1869 and 1870 he was deputy reeve, and in 1871 he was appointed township clerk, and in 1876 clerk of the county of Peel.

Clerk, Town of Bracebridge.

Mr. Salmon was born in London,



MR. A. C. SALMON.

England, in 1860, and educated at Christ's Hospital, and is a book-keeper

by profession. He came to Canada in 1883, and was engaged in the lumber business until the beginning of the present year, when he was appointed clerk of the town of Bracebridge. In addition to his municipal offices Mr. Salmon is a licensed culler for the Province of Ontario.

Clerk Township of Moore.

Mr. Watson was born in Nairnshire, Scotland, in 1825. After leaving the schools of his native parish he attended the established Normal School of Edinburgh and graduated as teacher in 1847. He taught for several years in the united



MR. JAS. WATSON.

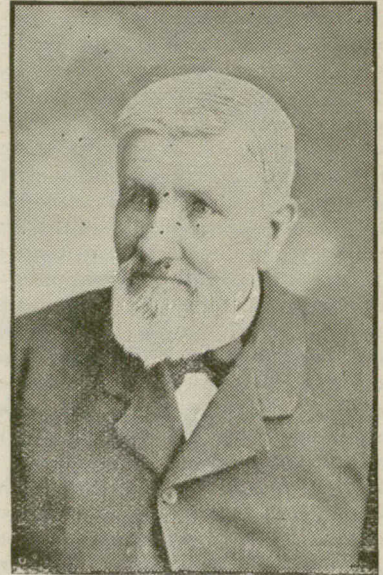
parishes of Tarland and Migvie, in Aberdeenshire. Afterwards he came to Canada and engaged in teaching in the Huntingdon Academy. He then moved to the county of Lambton, where he was again engaged in teaching the young idea how to shoot until 1868 when he was appointed clerk of the township of Moore.

Clerk, Township of Ekfrid.

Mr. McFarlane was born in Dundee, C. E., 76 years ago. He was appointed clerk of the Township of Ekfrid in the year 1849, and has held office continuously with the exception of about ten years, during five of which he occupied the position of reeve, and afterwards auditor and was then reappointed Clerk. In addition to his municipal office, Mr. McFarlane is a Justice of the Peace, and under the old Act, was a drainage assessor and commissioner. He is also agent for several Monetary and Manufacturing companies, and for 20 years was secretary of two cheese factories.

Clerk. County of Frontenac.

Mr. Edwards was born in Storrington township, Frontenac county in 1865, and received his early education at the public schools from which he passed successively through the Sydenham High School, Kingston Model and Ottawa Normal. At



MR. H. M'FARLANE.

the age of 17 he began teaching, and conducted schools in Frontenac, Essex and Lennox counties, and at the same time entered on an Arts course at Queen's University, Kingston. In 1890, he removed to Manitoba, where he acted as principal of the Souris public school, for three years. Returning to Ontario, he resumed his college studies, and at present ranks as a final year student in both arts and medicine. He has always taken an active interest in politics, and has a local reputation as a speaker. He has several



MR. J. W. EDWARDS.

times acted as municipal auditor in Frontenac and Lennox, and was appointed county clerk of Frontenac in June last.

The Transportation of Farm Produce.

The advantage of living in a city consists largely in the fact that sidewalks are good, pavements are good, street cars are convenient, household requisites may be ordered by telephone and quickly delivered at the door, the means of getting from one place to another and of obtaining all needed articles are of the best.

Compared with farm life, the contrast is striking, and it becomes apparent that one of the greatest disadvantages of farm life is that there are no sidewalks, roads are bad, and all means of going from one place to another, of transferring goods are difficult and laborious. It cannot be said to be wholly due to the fact that distances are greater in the country than in the city. For to go five or six miles on a stormy day in the city is by no means uncommon, and is quickly and easily travelled by street cars; whereas the same distance in the country is often a journey of considerable proportions in view of the difficulties presented by bad roads and the less convenient means of travel.

The lesson is an obvious one. The isolation of country life is not a matter of miles, but a question of the most convenient means of travelling. While the farmer cannot hope to place himself wholly on a par with his city cousin in this respect, he can certainly do very much more than has been done in the past to improve his facilities for transportation. The farmer, except in a few favored localities, cannot have the electric street car stop at his door, but he can remove much of the inconvenience which impedes him in all his business and social relations, which in many localities renders country life one of complete isolation for certain parts of the year.

Not only are the roads in a very bad condition during the wet seasons, but so much are they cut up at these periods that for a great part of the summer they are rough and disagreeable. When the roughness disappears, it means merely that the ruts and ridges are smoothed down into beds of dust, which rises up in clouds on the slightest provocation, to the intense discomfort of the traveller, and by no means to the benefit of whatever produce he may have in the conveyance with him.

One of the most serious drawbacks with which the farmer has to contend, is the difficulty and expense of transferring his produce to the market. The condition of the roads is such as to leave him largely dependent upon the state of the weather, for bad roads and bad weather is a combination which now go hand in hand, which seriously interferes with the prosperity of agriculture. The greater part of marketing, too, is done during the time of year when the weather is most likely to be unfavorable.

With roads, however, which are properly built; which rain will not soften and convert into quagmires; which the frost will not upheave and leave in a spongy state; but which at all times pro-

sent a hard surface; with such roads a journey can be quickly made at any season of the year, and stormy weather becomes a matter of minor importance, leaving the farmer free to transact his business, and market his produce under circumstances most favorable to himself.

What are these circumstances most favorable to the farmer? One is that he shall have a thorough acquaintance with the markets either through the medium of the newspaper, through a personal visit to the buyer, or other medium of information. This implies that a journey over the road to the post-office or to town may be quickly and readily performed, it implies that the roads must be good.

A circumstance which the farmer must not overlook is that having a close insight into the state of the market, he may be able to transfer his produce at the time he considers most suitable, irrespective of roads and weather. This is particularly true of wheat, changes in the price of which are at times rapid and of a considerable amount. What is true of wheat is true of other staple articles of farm produce which are frequently kept locked in the barn while prices rise and fall, bad roads preventing them being moved.

Another matter in which the farmer can make the marketing of his produce more favorable to himself is to carefully guard the quality. Fruit, vegetables, butter and dairy products are by no means improved by being jolted over a rough road on a hot day. A good road makes the time required for the journey shorter, and the greater smoothness of a good road causes less bruising and crushing. A dusty road cannot be fully guarded against; for dust will find its way through the smallest opening. All this injures not merely the real quality but also the appearance of his produce. The price obtainable is thereby lessened, and the difficulty of sale increased.

By means of good transportation over country roads, there is much land which, now valuable for general farming only, could be utilized for marketing, the raising of small fruits and other perishable produce. It does not necessarily follow that the farm must be within easy reach of a town or city over a country road, but if fruit and vegetables transferred from the farm to a railway station without injury, an energetic farmer can generally establish a suitable business connection in some city or large town reached by the railway. In this, however, we have the example of France and other European countries, where teamsters compete with railways in drawing goods two and three hundred miles over country roads. Under such conditions, even the railway is not a necessity to the market gardener for distances which, to mention them to the Canadian farmer, who knows only Canadian roads and the conditions under which they can be used, is a matter almost beyond belief.

To a number of Canadian fruits, apples,

grapes, pears, and peaches, which are most prolific in Ontario a market is opening in England. In order to avail ourselves of this market, there is every necessity that the quality of the fruit should be maintained at the highest standard. To this end, the first link in the chain of transportation, the carriage over the country road must be rapid and free from jolting, there must be no more exposure to the heat of the sun, to dust, and no more bruising than can be avoided, otherwise, the care in the remainder of the journey in providing rapid railway and ocean transportation and cold storage, is thrown away.

The transportation of dairy produce is another department in which the farmer can materially benefit from good roads. That milk is injured for all purposes by being jolted and churned over a rough road in the hot sun is well known to practical dairymen. Good roads would mean that milk could be sent to the town, city, or railway station for retail trade, to very much greater advantage to both seller and consumer. Good roads would also extend the possibilities of such trade over a much wider area of country. Beside improving the quality of butter and cheese produced by the factories, these factories could draw their supply from a much wider area of country, the number of factories would be lessened, and the cost of production per pound thereby decreased. The cost of haulage is a considerable item in the expense attached to many factories, which could be rendered much less by better roads.

Good roads would decrease the cost of haulage of farm produce, by lessening the number of horses required, increasing the size of the loads, decreasing the wear and tear in horses, harness, wagons, in addition to demanding less of the farmer's time. As has been pointed out, they would facilitate the business of selling farm produce to advantage, extend the markets, and improve the quality of the produce as supplied at the markets. In dairying the cost of making butter and cheese would be lessened, and the quality improved.

All these are matters which, looked at separately, may seem trifling, but in the aggregate they amount to a sum of no small dimensions. It is estimated that the cost of wagon carriage on this continent averages twenty-five cents per ton per mile as compared with eight cents in those European countries where good roads predominate. The contrast is more striking when it is known that the cost of carrying one ton for five miles over Canadian roads will carry a ton two hundred and fifty miles by rail, and one thousand miles by ocean vessel. To be consistent, the farmer who complains against excessive freight rates, should not neglect the portion of the transportation system entirely within his own control, the common highway.

Stranger—What are the principal objects of interest in this town?

Citizen—Savings bank deposits.

ENGINEERING DEPARTMENT.

A. W. CAMPBELL,

O.L.S., C.E., M.C.S., C.E.

Causes of Defective Sidewalks.

The advisability of replacing old plank sidewalks in very many cases with the more permanent concrete has been frequently urged. In so doing, however, it has not been advocated that in any case an inferior quality of concrete would be preferable to a good quality of plank walk, the comparison being in every case between good qualities of both plank and concrete.

The use of concrete is far from being properly understood by those who have charge of sidewalk construction in many municipalities, and the result has been in many instances, that most unsatisfactory work has been obtained. Concrete is a material requiring every care in its manipulation. Unless it is handled with painstaking care very undesirable results are certain to be obtained. Among the most frequent cases of poor concrete is the use of an inferior brand of cement. A cheap sidewalk obtained by the use of cheap cement will, in the end, prove exceedingly costly. Cement is a material of widely varying degrees of excellence, and experiments should in no case be tried by the smaller municipalities. There are good and reliable brands of Canadian Portland cement which have proven their qualities in large Government works, and in other extensive contracts, and to go beyond these is unnecessary and in many cases entirely unsafe.

Just as to how cement can be of poor quality is not understood by many, and it may be pointed out as one example that the presence of lime in excess causes what is known as "blowing" in the finished concrete, and rapidly results in decomposition of the sidewalk.

Again among the causes of inferior sidewalks is the use of gravel and cement to form the entire work, in place of a proper mixture of cement, sand and stone. The composition of concrete is first the mortar of sand and cement and just sufficient water to make a plastic mass; then this is mixed with a quantity of stone in just such proportion that the mortar will completely fill the voids between the stones with a proper excess of mortar for safety. There are certain definite proportions of cement, sand and stone which must be uniformly mixed in producing a good quality of artificial stone.

In using gravel only, the difficulty arises from the fact that the cement, sand and stone are not, and cannot be expected to be, mixed uniformly in these proportions. Gravel usually contains sand, but not in uniform quantities, nor in any definite proportions. Some pockets of so-called gravel will be almost completely sand, while adjoining it there is scarcely any sand, perhaps almost clean stone. To mix such material with cement in order

to produce concrete, while in many cases it may be successful, is always hazardous. The only safe way, where gravel is the material to be used, is to separate by screening the sand and stone which composes the gravel, then to mix the sand and cement in proper proportions to form the mortar, to which may then be added the stone, uniformly, and in its proper proportion.

Another cause of inferior sidewalks is that the materials composing it have been carelessly mixed. The cement and sand should first be mixed dry. This should be turned over and mixed with shovels not less than ten times before the water is added. Water is then added in just sufficient quantity to slightly dampen the mixture, and the paste should be again turned over and mixed not less than six times. If this work is properly done each grain of sand will be surrounded by a sufficient coating of cement. This mortar having been spread out, the stone should be added and the whole turned over and mixed not less than ten times before being used, the last mixing ensuring that each stone is completely surrounded by a coating of mortar.

Mixed in this way, concrete, other conditions being as they should, will not fail because of improper mixing, but any carelessness, or deviation from this method, is likely to result unfavorably.

Another cause of inferior sidewalks is that the presence of any clay or earthy matter will cause the sidewalk to crumble. Care should be taken, too, to see that the water is clean, otherwise the same result will be produced.

Another cause of the failure of sidewalks is that the concrete has not been properly and completely separated into flags in order to allow for expansion, with the result that in hot weather, when expansion takes place, the sidewalk is thrown up at points of least resistance. The expansion of concrete is about the same as that of steel, and no railway company would contemplate for an instant the laying of a continuous steel track in which there are not joints at proper intervals to allow for this expansion. This is true to the same extent with a concrete sidewalk and every care must be taken to first cut through the foundation layer of concrete, then through the surface layer directly in line with the joint underneath. The entire joint should then be filled with sand to ensure complete separation. A peculiar instance of the effect of expansion occurred in an American city recently, in which the sidewalk, having no point at which it could find relief, suddenly exploded with the report of a cannon, throwing large portions into the air.

The surface layer of the sidewalk must be laid upon the foundation layer while the latter layer is still damp, otherwise there is not a proper union of the two, and shaling will result.

The effect of frost on a wet sub-soil must also be guarded against by the use of under drains, otherwise the upheaval of

the ground under the expanding influence of frost is very apt to crack the walk. The separation of the sidewalk into flag divisions, however, is also of service in this respect by giving the separate divisions an opportunity to rise and subside with the soil underneath. No dependence, however, should be placed on this, as a saturated subsoil will eventually cause a very uneven surface, since the separate stones, when once upheaved, seldom return exactly to their original position.

A Municipal Convention

Toronto, the city of conventions, will this year entertain an association of unusual interest to all connected with municipal matters. The sixth annual convention of the American Society of Municipal Improvements will be held in Toronto on October 3, 4 and 5. The society is composed of the officials of seventy-five of the leading cities of the United States and Canada. A large attendance is expected and arrangements are being made which will assure a pleasant and interesting time for all who visit Toronto in this connection. The city officials of this province should not lose this opportunity of coming in contact with one another, and with the American visitors who are devoting themselves to problems connected with municipal affairs. The papers to be read, in a number of cases, no doubt will deal with the larger matters of city government, but this should not deter in any way, the residents of smaller towns and cities from attending and receiving the inspiration, and studying the models, which are presented by the larger municipalities. In addition to the detail and information which such conventions impart, their mission is more to raise to higher levels our ideal of municipal government. The officials of every municipality in the province will receive, by attending this convention, information and stimulus which will make them better able in every way to advance the interest of the public whom they serve.

Good Roads in Cuba.

The improvement of Cuban highways is contemplated by the U. S. War Department, and orders will be issued to Gen. Brooks to secure reports at once from the several department commanders in Cuba as to the present conditions of the roads and an estimate of the cost of improving them. It is believed that work on road improvement will furnish employment for many Cubans and largely reduce if not entirely stop the necessity for a free distribution of food. Bad roads are now seriously handicapping many sections where work has been resumed on the old plantations. A general plan for this road improvement will be later outlined under Assistant Secretary of War Meiklejohn and submitted to the President for approval.

Good Roads in Renfrew.

Street improvement has been energetically commenced in the town of Renfrew, in the purchase of machinery and the laying of a short section of macadam roadway. The citizens of the town are eminently satisfied with the results, and already there are applications for "more."

The Renfrew Mercury, in a lengthy article, gives a detailed account of what it describes as "the inauguration of a new era in the progress of the town, and the improvement of its appearance." After preliminary remarks regarding the machinery, the article continues as to the rock crusher:

It is a wonderful machine, with large capacity, keeping a large force at work feeding it, and the rapidity with which it cracks up all sorts and conditions of stone, and sorts it out into different grades has been a matter of delight to all who appreciate the work of strong and simple machinery. The wearing parts are two jaws, which are reversible and interchangeable. They vary in their length of life, according to the hardness of the stone and of the metal in them. Sometimes they will wear out quickly, sometimes last a record length of time; but it is understood that their average life is for about 400 cords. The limestone rock that was first run through here did not affect the jaws at all; but the black rock from the Pinnacle soon wore the serrated face off one of them. However, some plates of iron were inserted at its back to take up the wear, and it now goes cracking away apparently as well as ever. We do not think that there was ever an expenditure of nearly \$1,000 made by the Town Council which has been so little criticized; and with which the ratepayers, big and little, so generally express their satisfaction.

To conform to the plan of the streets prepared by Engineer McCubbin, to make them all fit into one another at easy grades, when permanently improved, it became necessary to make considerable of a cut in Railway street at several points. To hurry on the work, some of this excavation was commenced and was under way when Road Commissioner Campbell arrived on Tuesday morning. His practiced eye readily detected many spots in the carrying on of the work where much quicker results could be secured for the amount of labor expended. As a result of his instructions the work was hustled along; although the committee found it difficult just at this time, when the farmers want men for the harvest, to get enough first-class laborers to push the work on as rapidly as Mr. Campbell desired. However, as the days went on, the force increased, and by Saturday night some 300 coats of the roadway had on it three coats of stone, and the citizens had a chance to see something of what the finished roadway would be like. The comments generally, we believe, were favorable. In fact, Mr. Campbell expressed his pleasure at the friendly

feeling there seemed to be on the part of the onlookers throughout, towards the improvements being carried on. In many places the comments while the work is in its infancy are so critical and antagonistic that he often felt impelled to utter an emphatic request to the critics to withhold their observations until the work was finished. Here, however, from the start the bulk of the crowd seemed sympathetic with the work, and made due allowance for the difficulties that beset the committee in a first attempt, and on a "rush" job into the bargain. Mr. Campbell was not a whit more satisfied with the people than the people were with Mr. Campbell. He made a good impression when he came to speak a year or so ago. He made an even better impression when he came to work, this time. He was on the ground early and late, directing operations and informing the committee; with the result that a prominent citizen in town made the remark that there was one Government official at least who earned his pay, and that one was Mr. Campbell. When he left on Saturday evening, with the thanks of the committee, and appreciative words from many citizens, he said that he thought the committee would be able to finish the work in good shape; and that after their experience with this piece, would be able to plan out to lay the macadam even more economically.

It was designed to lay about ten inches of stone in the centre of the roadway and eight inches near the curb. This for the 668 feet from the C. P. R. track to Main street would take between 90 and 100 cords of stone. Out west, in towns where there is little stone and high prices have to be paid for railway haulage, macadam costs about sixty cents a yard. Here, where there is plenty of stone close at hand, Engineer McCubbin estimated that the work should cost less than 50c a square yard. The committee set 45c a yard before them as their mark, or about \$800 for the 668 feet of 24 feet roadway. When the bills are all in, it will be seen how nearly they have been able to keep within their estimate. There is little question that with careful planning out of the work and careful handling of the men, the work can be done for an even less figure here.

And the steam road roller!—on account of which it might be said that the work was begun. Well, when it got to its proper work and was fed with locomotive fuel it did its work very well. Mr. Campbell said as a roller it did the work as well as any could. As to the condition of the boiler and engine, engineers of experience in that department could say better than he. But if the council decided to send it back, one thing they should be clear on,—and that was not to buy a roller any heavier than it was. While a heavier roller might crush the stone down more quickly, it would not make as good or as permanent a roadbed. Frequent compacting by a lighter roller was of more benefit than the fewer rolls by the greater

weight. As to the condition of the machinery, the council received opinions from Mr. John Ward, who has been handling it on the roadway, and now has it very well under control, and from Messrs. John R. Stewart, of Wright's electric station, Geo. A. Becker, E. Woods and D. Funnell. Their general report was that the machine needed some further repairs and modern attachments at a cost of possibly \$100 to put it in first-class condition. On the basis of these reports, the council is endeavoring to complete the purchase of the roller, with an allowance for the repairs yet to be made.

About the cost. If the committee manages to get the work done for the \$800 estimate, it means that the cost per year will be between \$55 and \$60, for 20 years, about half of this being borne by the town, and half by the property owners immediately benefited.

It will be a week or ten days before the road gets into really solid shape; although already with an occasional run over by the roller it hardly shows the impress of heavily loaded wagons."

Take Care of Them.

Before it is safe to trust the people of Ontario with good roads, it would appear to be necessary to teach them how to take care of good roads. A good system of maintenance will make a good road better, and a bad system will make a good road bad. In Germany one man is employed to devote all his time to a certain section of road, perhaps three or four miles in length. His time every day, winter and summer, is given to that piece of road. He is not experienced, as engineers are classed as experienced; he is a cheap man, a day laborer, but he devotes his time to his section until he is thoroughly familiar with it; the work is superintended by engineers; there is an engineering corps in charge of the roads. The roads are as smooth as floors. You can ride from Paris to Berlin over a hard, smooth road without any stops on account of rain. Weather seems to make no difference as there is no mud. In times of bad weather, when the roads soften a little, they place timbers across portions of the road to protect the soft parts and traffic is diverted to the other parts. Then when the first part becomes dry the timbers are changed to the other.

He Favored Bad Roads.

The philosophy of a good many Canadians appears to be similar to that of the French peasant, who, presiding over the municipal council of his village, gave the assembly a lecture on the lack of necessity for any more road building.

"As for the roads which are now bad," he said, "it is of no use to repair them, for nobody travels over them, and as for those which are good, why do anything to them until they get bad?"

The General Funds to Pay One-Third.

Among the resolutions passed by the Ontario Municipal Association at the meeting held in the city of Hamilton last month was the following, respecting the frontage tax system: "That the Legislature be asked to amend the local improvement sections of the Municipal Act so as to empower municipal councils to charge an equitable proportion of the cost of permanent improvements to streets, such as macadam, asphalt, brick or other pavement, to the general expense fund of the municipality, and to issue debentures for the same."

This is but a repetition of a suggestion which has been previously placed before the readers of the *Municipal World*. In a number of reports to various towns the Provincial Roads' Commissioner has also made the same suggestion and, in accordance with this, Strathroy taking the initiatory step, twenty-seven petitions were presented to the Legislature just prior to the last session. A bill was framed, but owing to the opposition of several of the larger cities it was withdrawn. The ground of opposition taken by these was that, having spent large sums, and paved a great many streets under the old system, it would be unfair to relieve a few favored streets at the expense of all the others; while for the cities to assume responsibility for past expenditure would place too great a burden on the general funds. However, there is no doubt that a plan can be framed whereby cities and towns when first adopting the system, can provide that the general funds shall bear a portion of the cost. Or, in municipalities where the system has been in operation, a favorable vote of the freeholders should be sufficient to guarantee the advisability of the change.

It would be well to provide by by-law for the payment of say one third of the cost of all street improvements out of the general funds. When the Act was framed little interest was taken in the question of street improvement, and the intention was undoubtedly to permit the residents on certain streets, desiring their improvement, to have it made and the payments extended over a term of years; the principle being to allow them to get what they wanted and pay for it. This was taken advantage of by the more progressive citizens, but very seldom in a general way. With the changes of time and conditions, the demand to-day for improved streets is general, and no system should be adopted which will not, to a reasonable extent, provide for this.

No improvement can be made upon the streets of a city or town without benefitting the whole place. The nature, and consequently the cost of these improvements, should be proportionate to the service which they render, and should not be wholly regulated according to the desire of the owners. Before any work is undertaken a comprehensive plan of the municipality outlining the character of the

improvements proposed for the different streets, width of roadway, location of sidewalks, estimated cost, should be prepared, and followed as nearly as possible. The highest assessed property, where the most expensive pavement is required, pays a proportionately great share of the cost of that pavement as well as of the least expensive pavement.

Street intersections should in addition be charged to the general funds, otherwise a street first undertaking improvements would be charged with all intersections, and other streets crossing this and subsequently undertaking improvements would be relieved from the cost of these street intersections.

Sewers and Street Improvements.

In spite of the fact that street improvement is so highly beneficial to the welfare of every village, town and city, the first steps towards the introduction of such a measure are frequently met with severe criticism and opposition. Among the objections most frequently taken, in municipalities where a sewerage system has not yet been installed, is that the construction of sewers should precede the building of macadam or other first-class roadways. The objection can well be taken in some cases. It would certainly be folly to go to the expense of paving a street and within a year or two to very largely destroy this work by opening a trench down the centre for the purpose of laying a sewer. It is, however, equally unreasonable to urge that street improvement be delayed when there is little, if any, prospect of a sewer being required for a period of perhaps eight or ten years. Sewers are required more often than property owners are inclined to admit or suspect, and it is always well before undertaking street improvement to give the question of sewerage thorough consideration.

It is sometimes urged, too, that street construction should be delayed for a year or more after the laying of sewers in order that the earth in trenches may have time to settle. This, too, is quite unnecessary, if proper attention is paid to the restoration of the earth to the trenches. If a sufficient degree of attention is paid to this portion of the work all the earth taken from trenches, and more, can be placed in it, for there is a certain shrinkage of the earth which varies with the character of the soil. All that is required is thorough pounding of the earth.

If the earth is carelessly placed in the trench settlements are apt to occur for any number of years after the completion of the work, and neither one or two years is sufficient to save the pavement from injury in this respect. By restoring the earth with a reasonable amount of care there is every necessary degree of safety in macadamizing the street at any time thereafter. The following season should certainly provide against any danger from settlement.

Road Making at Toronto Fair.

No special exhibit on the fair ground at Toronto this year appeared to attract more genuine attention than the very large display of roadmaking machinery. Municipal councillors, engineers and road commissioners spent hours watching the different machines in operation, comparing the merits of each. In this way councils are in a better position to make a selection, and many sales have been made by the manufacturers. Many committees have returned to report to the councils as to the selection to be made with a view to completing the purchase at a later day.

When the first special exhibit of this machinery was made three years ago, people viewed it through curiosity. To day it is examined largely by men appointed by councils, not to study their general utility, but to select the machine most suitable for their requirements. The Provincial Road Commissioner's office on the grounds was visited by a large number of municipal officials anxious to report the reforms made in their system; the completeness of their outfits, and the large amount of satisfactory work which they now are doing. That prejudice should be changed into sympathy; that the stone hammer and drag scraper should be laid aside, and that modern graders, rock-crushers and rollers should be substituted; that statute labor should be abolished, and a workable system adopted in its stead, are the reforms to be desired, which are steadily gaining ground.

Brick Pavements.

Brick pavements, aggregating about one and three-quarter miles in length, were laid in Columbus, Ohio, during 1898. In the annual report of the chief engineer, Julian Griggs, of the Department of Public Improvements, the following interesting statements are made: "The practice of determining the character of the brick offered for street pavements by submitting samples to the standard rattling test adopted by the National Brickmakers' Association, has been continued, and has tended to improve the quality of brick used for paving purposes. The recommendation of a year ago for the use of concrete foundation in street improvements, instead of broken stone, has not found any response in a change of practice; in the meantime, a very good object lesson on the wisdom of such change can be seen in the pavement of Fifth Avenue, which has gone to pieces, and the brick, broken stone and mud are becoming hopelessly mixed."

The township council of Ameliasburg has just purchased an outfit of roadmaking machinery, including a rock crusher.

The township council of Charlottenburg has purchased a rock crusher and is this year making a great improvement in its roads.

A Provincial Board of Municipal Public Works.

An article in a recent number of *Municipal Engineering*, discusses to some extent the question of "Private vs. Municipal Ownership," concluding with a suggestion which, in view of the work of the Provincial Board of Health, appears to be quite feasible. The writer says:

"A state board of municipal public works, which a city would be bound to consult before letting a contract or granting a franchise, even if its functions were merely advisory, would prevent many serious mistakes. Assuming that such an administrative board would be both efficient and incorruptible, the legislature could safely make its approval of a municipal franchise final so far as the terms under which a private company binds itself to supply service are concerned. Upon this program the advocates of private and municipal ownership alike should unite. Only thus can the private company be properly protected, while municipal ownership without such supervision is shown by experience to be in many instances a very hazardous experiment. We do not advocate this reform as a new remedy, nor as a panacea for municipal ills, but only because experience has shown that it is the only method that has been successful in uniformly assuring to cities an honest and efficient management of those public service industries demanded by the modern municipality."

A Rare Occurrence.

The *Scientific American*, published in New York, is perhaps the only publication in the world that can boast of being the recipient of a substantial acknowledgement of merit from a subscriber. An Australian gentleman named Bowman, who has been for twenty-seven years a reader of the publication, recently sent to the publishers a handsome gold medal that he has had specially struck in their honor. Mr. Bowman accompanies his present with a letter, of which the following is a part:

I forward this trifle to the editors of the *Scientific American* as a souvenir of thanks for the many favors, information and instruction I have derived from the perusal of the paper for the last twenty-seven years; also for your kindness in giving me, at different times, information by letter.

The obverse of the medal has a heraldic design bearing the words "Advance Australia," and the date 1899. On the reverse are the words, "Messrs. Munn & Co., *Scientific American*, New York, from T. R. Bowman, South Australia." The medal is about an inch and a quarter in diameter and is made of two kinds of Australian gold.

By a ruling of the Provincial Department, agricultural societies in the province of Quebec may, if they think proper, apply funds granted them for fairs and cattle shows to the improvement of roads.

The Limits of Municipal Enterprise.

BY PROF. WILLIAM SMART, PROFESSOR OF POLITICAL ECONOMY AT THE UNIVERSITY OF GLASGOW.

[Concluded.]

But so long as the principle which obtains is that of Bailie Chisholm, that once the corporation has acquired ground within the city, it must on no account sell it—land being a peculiarly sacred heritage—and in default of getting proper offers from private builders, must itself cover it with houses and shops *suitable to the locality*, so long shall we have the energies of our improvement trust diverted into active, and possibly unfair, competition with a single trade which does not seem to deserve being singled out for that distinction. Of course, house building has been taken here merely as an illustration of a principle applicable to many proposed municipal undertakings.

IV. THE WORKING PEOPLE.

(4) Working Classes.—The corporation is now an "employer of labor" to an extent of which few people have any idea. The police commission alone paid in wages last year no less than close on £200,000. But this itself is a small thing compared to the indirect employment involved in the many contracts which it gives out. Here, then, in the midst of and competing with other organizers of labor, is one great employer paying wages and demanding that its contractors pay wages—on what principle? According to what is known as the standard rate in the corresponding outside employments so far as there are such—that is, the trade union rate. Even laborers, who have no union outside, are paid by the corporation 21s. a week if "able-bodied," and it is not the fault of the progressive party if "able-bodied" is not defined to mean "between the ages of twenty-one and fifty." Now this will be approved or not, just as one holds by trade unionism or not; but, in fairness to those ratepayers who do not believe in it, it must be pointed out that this is a very distinct gain for trade unionism. It makes it all the more difficult for other employers not to pay the standard rate. It may be suggested, too, that all these corporation employees are presumably voters, and that their influence will certainly be thrown for the extension of undertakings which so much favor their own cause. If, again, the municipal employees belong to the trade unions of their trade, they are under the obligation, one may suppose, of coming out on strike with their fellows if a strike is ordered from headquarters. As they also are ratepayers, this would present us with the curious spectacle of workers striking against themselves; that is, the ratepayers as workers coming out on strike against the workers as ratepayers, and demanding higher wages out of their own pockets. To put the anomaly in the concrete—suppose the gas workers strike for a rise of

wages, the higher wages must—assuming that gas is sold at cost—come out of the higher price charged to the gas workers, among others, for gas.

Enough has been said, perhaps, to suggest that the extension of municipal enterprise is not a simple problem. It is not enough to prove that the corporation *can* successfully carry on businesses that otherwise would be in private hands. It is rather a question why it *should* do so.

It will be observed that all the foregoing assumes that the question is one of municipal service; that is, of a corporation undertaking to do something for the community and charging cost price for it. This has nothing to do with the corporation entering on any business with a view to make profit, or raising revenue to be spent in relief of taxation. Such a subject, then, as taxation of land values, or the proposed municipal banking, so far as it looks to "diverting the monopoly profits of the Scots bank," does not come within the purview of this article.

Perhaps, however, one thing may be called attention to, namely, the anxiety of many of the councillors to take on extra work without showing us how this work is to be overtaken. We demand, and rightly, that the corporation shall represent all classes, and to secure this we ask that each class shall be represented by members belonging to itself. Thus we have on our council a considerable number of men who cannot give their whole time to the work—and it is to be noted that it is *not* the working men members to whom this applies. Is it too much to say that the reported proceedings of our corporation show that a great many of the members come lamentably unprepared as to the facts and principles on which alone a deliberate resolution should be taken, and are at the mercy of those who can put their case with the most apparent cogency in the limited time allowed? Is it impertinent to suggest that the recognized duties of a corporation, representing a population growing so fast both in numbers and wealth, already make a claim on time and ability, which is not always conspicuously met by men who have other business to attend to?

Once upon a time a billionaire conceived the idea that it would be disgraceful to die rich. Accordingly he fell to giving his wealth away. But it soon became apparent that he had more wealth than he could possibly give away in four hundred years, working ten hours a day. "What shall I do?" he asked himself, in much alarm. But he was a resourceful man, and it was not long till he hit upon the happy expedient of revealing his belongings to the assessors. That being done, he was speedily reduced to penury.—*Detroit Journal*.

Mrs. Good—My poor man, are you married?

Soiled Spooner—No'm; I got dis hunted look from always bein' chased from place to place by de police.

The Municipal Conference.

At the call of Mr. S. H. Kent, assistant city clerk, of Hamilton, and secretary of the conference, representatives from several provincial municipalities, met in the council chamber, in the above city on Tuesday and Wednesday, the 5th and 6th of September. The following municipalities sent delegates: Lindsay, Belleville, Ottawa, Ingersoll, Brantford, St. Catharines, Galt, Berlin, Fort William, Guelph, London, Wiarton, Port Hope and the township of Keppel—twenty-two delegates in all. Mr. J. V. Teetzel, mayor of Hamilton, was elected chairman, and Mr. S. H. Kent, secretary of the convention. The chairman in a few words explained that the object of the meeting was to consider and discuss necessary amendments to the existing municipal and assessment laws, and to settle the best mode of having them embodied in Acts of the Provincial Legislature. A number of resolutions were introduced, discussed and referred to a committee, which reported as follows:

1. That in the opinion of this convention the assessment act should be so amended as to distribute the burden of taxation more equally, and, with this end in view, the assessment of personal property should be made without regard to the debts owing on account of it.

2. Provision should be made in the Assessment Act that real property belonging to or in the possession of any person or incorporated company and extending over more than one ward in any city or town may be assessed together as a complete going concern in any one of such wards at the option of the assessor, or that the assessment of the property as a going concern may be apportioned amongst two or more of such wards in such manner as he may deem convenient, and that in either case the property shall be valued as a going concern or forming part of a going concern.

3. The personal property of incorporated companies, other than chartered banks, should be liable to assessment to the same extent as that of any private individual or partnership, and sub-section 2 of section 39 of the Assessment Act, should be amended accordingly.

4. That no sale of lands for taxes in any city shall be invalid by reason of there having been goods or chattels within the county belonging or in the possession of the person assessed for the lands, or goods or chattels upon such lands liable to seizure for taxes, and of no levy by distress having been made upon such goods or chattels for the payment of taxes due in respect of said lands.

5. That representatives of city and town municipalities should be appointed to attend before the committee provided by the Provincial Government to consider and discuss the question of the turnover tax, which was brought before the Municipal Committee of the legislature last season.

That for the purpose of urging upon the legislature the changes in the law which this convention deems desirable a municipal deputation should wait upon members of the Ontario Government at some time within a month before the opening of next session, when the Ministers would have leisure to hear and consider the matter brought before them.

Mr. Joseph A. Culham, barrister, of Hamilton, read a paper on municipal reform in the United States, which was well received. The following resolutions were discussed and adopted:

"That in the opinion of this convention the polling subdivisions made by councils of cities and towns in which the manhood

suffrage registration act is in force should be for municipal purposes only. That the number of voters for municipal elections in a subdivision should be increased from 200 to 300, and that an election should not be void or voidable for the reason that a polling subdivision which contains more than 300 voters has not been divided, provided it does not contain more than 400 voters. That the Board of Registrars should define the polling subdivisions for elections to the Legislative Assembly. That all voters for elections to the Legislative Assembly should register with the Board of Registrars under the Manhood Suffrage Act."

"That power should be given to cities having a population of more than 15,000 to provide for election of aldermen by a general vote instead of by wards, if such mode of election be desired, by a majority of the electors, and that the question of its adoption should be submitted by the council to the vote of the ratepayers at the then next municipal elections if desired by petition of at least 300 ratepayers, and if decided by such vote in the affirmative, the aldermen at all future annual elections shall be elected by a general vote."

"That any police magistrate, in sending a boy to the Industrial School, may issue an order requiring the parent of such boy to pay to the city corporation the amount the city has to pay for his maintenance. At the present time the city has to pay, even though the child's people may be well able to do so."

"That rebates on account of local improvements be calculated on land values only, and not on land and building values combined."

"That the Dominion Government should be asked to pass an act requiring the capacity of baskets to be stamped at the handles by the makers; also that fruit and vegetable boxes be of a standard size."

"That the legislature be asked to amend the local improvement sections of the municipal act so as to empower municipal councils to charge an equitable proportion of the cost of permanent improvement to streets, such as macadam, asphalt, brick or other pavement, to general expense fund of the municipality, and to issue debentures for the same."

"With a view to empower cities to acquire water privileges, it was decided to ask the legislature to amend the Municipal Act by inserting the word "city" before the word "town" in section 564 of the act."

That the legislature be asked to amend the Municipal Act so as to provide that the mayors of cities or towns may be elected for a term of two years, and aldermen and councillors for two or three years, one-half or one-third of the number to be elected annually, as decided by by-law to be carried by the ratepayers."

"That in the opinion of this convention the clause in the Assessment Act by which the property in each ward of the municipality has to be separately assessed, should be amended so that companies should have the whole of the property, belonging to the company assessed against the company as a whole, at the head office or principal place of business within the municipality as a going concern."

The ability of forming a permanent association was considered and approved by the following resolution, moved by mayor Keaty of St. Catharines and seconded by mayor Nelson of Guelph.

That an organization to be called the Ontario Municipal Association be now formed to consist of the Mayors of the cities and towns of this Province, and such other representatives of each city or town as its council may from time to time appoint.

That such association shall meet at least once in every year, and oftener if need be, upon the call of the Executive Committee.

That prior to each session of the legislature of Ontario, the Executive Committee shall arrange with the members of the Provincial Government for a hearing of the Municipal Association at such time as the Government may appoint, upon any questions which the

association shall desire action to be taken by the government of the legislature.

That notice of the time so appointed be sent by the Executive Committee to the mayor of each city and town, so that representatives may be sent to meet at the place to be named in the notice of the Executive Committee, and may proceed to interview the government.

That the officers of the Association consist of a president, and two vice-presidents, a secretary and assistant secretary, and an executive committee, to consist of these officers and 5 other members, and that 3 members shall form a quorum of the executive committee.

That the following be the officers:

President—The Mayor of Hamilton.

Vice-Presidents—The Mayor of St. Catharines, and the Mayor of Guelph.

Secretary—Mr. S. H. Kent, Deputy City Clerk, Hamilton.

Assistant Secretary—Mr. John T. Hall, Assessment Commissioner, of Hamilton.

Executive Committee—Assessment Commissioner Fleming, of Toronto; Auditor Cluff, of Ottawa; the mayor of London, the mayor of Port Hope and the mayor of Belleville.

The meeting then adjourned.

Mr. A. W. Campbell, Provincial Road Commissioner, addressed the meeting and gave the Convention some good hints in connection with the carrying out of municipal improvements. He intimated that the failure of municipal associations in the past has been brought about by the discussion of questions which should have been left to expert engineers, etc. Municipal associations should confine their attention to questions of administration, and drop learned papers on engineering and other kindred subjects, and they would find a vast field for their labor.

London was chosen as the next place of meeting, of the association.

After the meeting on Tuesday, the visitors were very pleasantly entertained by the mayor and aldermen of the city.

We are publishing in this issue the paper presented by Mr. J. A. Culham, and also a paper on "Assessment" prepared by city assessor Dolson of St. Catharines, which was withheld owing to the shortness of time at the conference.

In the course of a scrutiny of votes cast in the township of Aldborough, for and against a by-law, granting a bonus of \$7,000, to the Lake Erie & Detroit River Railway Company, the senior Judge of the county of Elgin decided a point which it would be well for assessors and municipal clerks to bear in mind. Three persons were entered on the Assessment Roll of the township as follows:

Smith, John }
" Henry }
" James }

His Honor held that the two latter were not on the Assessment Roll at all, and therefore could not be entered by the clerk in his Voters' List, based on that Assessment Roll. The assessor is required, by the Act, to enter in column 2 of his roll, the "name (surname first) and post-office address of taxable persons." See Section 13, sub-section 4, of the Assessment Act.

Municipal Reform in the United States.

By J. A. Culham, Barrister, Hamilton.

Municipal betterment, in one form or another is an old story in the United States. I do not take in to account spasmodic local cases of rebellion of the taxpayers against dishonest administration. Honest outbursts of this kind have had an effect, but only temporary, and local. Many years ago it was seen that the root of the evil lay in the system under which a dishonest administration, not only was possible, but was induced and fostered by the loose and unbusiness like methods of the old, and now discredited form of civil government. Organized effort to better the system was made in 1876, when in New York state a commission was appointed, of which W. M. Evarts, was chairman, to devise a plan for the better government of cities in the State. The report of the commission gives, as the chief causes of the evils which were admitted to exist, incompetent and unfaithful governing boards and officers, and the introduction of state and national politics into municipal affairs. Amongst the remedies proposed were:

(1) The vesting of legislative powers of municipalities in two bodies, a board of aldermen elected by ordinary suffrage, and a board of finance elected by voters who had for two years paid a certain tax or rent, this board to have practically exclusive control of taxation and expenditure.

(2) An extension of the general control and appointing power of the mayor.

The state legislature took no action on the report, and the work of the commission had no immediate result. In 1882, however, the city of Brooklyn obtained a new charter, embodying some of the provisions recommended by the state commission. One of the most important and novel features of this charter, the result of treating the city as a business corporation, rather than a political entity, was the clothing the mayor with extensive powers coupled with corresponding obligations. Under this Charter the executive of the city is represented by the mayor and heads of departments, and the legislative by a council of 19 members, the population of the city being then about 750,000. Appointments of executive heads of departments were made by the mayor, absolutely, and without need of confirmation by the council, and the heads of departments appointed their subordinates, so that the principle of defined responsibility ran through the whole schemes. The mayor was responsible for the good government of the city, and the charter equipped him with the power to discharge the trust.

This Brooklyn Charter was found to work so well that it has been taken as a model by many towns and cities in various states.

A NATIONAL MUNICIPAL LEAGUE.

Organized effort towards municipal reform from the bottom, extending over states throughout the Union, resulted in the formation of the National Municipal League, in Philadelphia in 1892.

The objects of this league are thus set out in its constitution:

(1) To multiply the numbers, harmonize the methods and combine the forces of all who realize that it is only by united action and organization that good citizens can secure the adoption of good laws, and the selection of good men of trained ability and proved integrity for all municipal positions, or prevent the success of incompetent or corrupt candidates for public office.

(2) To promote the thorough investigation and discussion of the conditions and details of civic administration, and of the methods for selecting and appointing officials in American cities, and of laws and ordinances relating to such subjects.

(3) To provide for such meetings and conferences, and for the preparation and circulation of such addresses and other literature as may seem likely to advance the cause of good civic government."

In 1897 this organization had affiliated with it 100 municipal clubs or associations representing cities in most of the states of the Union, and so far five meetings have been held at Minneapolis, Cleveland, Baltimore, Louisville and Indianapolis. The proceedings of these meetings have been published by the League under the title of "Proceeding of the National Conference for Good City Government and of the National Municipal League."

The purposes of the league are further shortly stated in the President's address at the meeting in 1896, as follows:

"Of course, when any one observes an evil, especially a political evil, some sort of remedy generally suggests itself, but for the most part these remedies are usually ineffectual, because they are not based on extensive information, or upon the results of discussion and investigation, still less are they based upon the fruits of actual experience. They therefore, usually fail, and it is our conviction that it is not wise to adopt at an early period in our movement, or recommend particular lines of action, nor until we can frame some which shall be fortified with the teachings of experience and by those lessons which we can derive from discussion and investigation."

The earlier proceedings, following the plan thus outlined, consist largely of an academic discussion, in carefully prepared papers and criticisms of them, covering a variety of municipal problems. For instance, in the year 1896, the following papers were read: "A year's work for Municipal Reform," by C. R. Woodruff, a member of the Pennsylvania Legislature, and Secretary of the League. 10 papers giving accounts of the municipal conditions of various cities; 4 papers on Municipal Ownership of Street Railways and Municipal Franchises; 1 on State Boards of Control; 1 on Reform of Municipal Councils; 2 on Single or Double Chambers in Municipal Councils; 1 on Should Municipal Legislators Receive a Salary; 1 on The Necessity for Excluding Politics from Municipal Business; and 1 on A Christian Citizenship League.

One feature is prominent in almost all the papers and discussions that is, the practical way in which all the subjects are approached. An out-of-joint condition of things in municipal matters is generally accepted as a fact, and the best practical remedy is sought. The members of the League do not appear to be faddists or hobby-riders; the best is aimed at in all things; existing conditions in politics, the civil service, etc., are not ignored, but are treated as factors in the problem that must be reckoned with.

At the conference in 1897, with a view to giving a practical shape to the work of previous years, a committee of 10 was appointed to report a municipal programme, and the report of this committee is found in the proceedings of 1898. The work of the League, and of the municipal reform movement of the past 20 years, may be said to be summed up in this report, and in the model city charter, which forms part of it. The whole volume of the proceedings of 1898, the report, charter, papers read by members of the committee explaining certain portions of the committee's work, and discussions throughout, form a most interesting and instructive contribution to the problem of City Government.

In the earlier years there had been much discussion on the question of Home Rule for Cities, i. e. giving each city power, within certain limits of framing its own charter and form of government, and the position and power of the mayor as head of the city, and there are throughout two clearly defined sets of opinions, one that good government is not so much a question of method or morals, and that, given the right men in control, the form of charter is of little consequence; and the other that, as it is almost impossible always to elect a good council, a plan should be devised to meet the contingency of an occasionally incompetent or downright bad council. The plan of centralizing power in the executive is recommended in the New York State Commission's report, and

is a feature of the city of Brooklyn Charter, of 1882, and the secretary of the national league, in moving the appointment of the committee of ten, treating the same subject, said:—"We can all agree there should be centralization of power in the hands of the executive, who should be clothed with adequate responsibility. This has been the drift of the charters for 3 or 4 years."

CITY GOVERNMENT BY COMMISSION.

By the way of digression it is interesting to note that the plan of "city government" by commission has been successfully tried at Hamilton Ohio. I give two short extracts from the proceedings of 1898, showing municipal condition there.

Hon. J. J. McMackin, Hamilton, Ohio, in an address says; "I will give you a little history of the city of Hamilton. Hamilton is situated on the river in a very beautiful valley, and has a population of twenty five thousand. It is a manufacturing city. Under the old system we had the same trouble in our city government that you are having all over. We had a council and a board of waterworks trustees, a board of gas trustees, a board for the library, a board of health, a street commission, and I don't know how many others. We discovered one thing, and that is, that those officers who were elected at large, such as the officers of the gas and waterworks, were always of a higher grade and a better class of men than those elected by wards and districts. Four years ago we started in on a new charter, and we worked until last year, when we got it through the legislature. How long will it stand? I suppose the ward heelers and other interested parties who are against it will have it repealed at the next legislature. The Bill was introduced in 1894, but it failed to pass because we had incorporated in that, the board of education, and the people were touchy about that. Last winter we eliminated that part, and now the city government stands this way; we have wiped out every board except the board of education. We have five men, the first serving for one year, the next two, the next three, the next four, and the next five, and after that each man will be elected to serve for five years. Each man is a director of a department, each member is paid a salary of fifteen hundred dollars. He gives a bond for twenty-five thousand dollars, and is held strictly accountable for the honest and efficient working of his department.

Since the board has been in existence we received bids for asphalt pavement. Under the council the bids ranged from \$2.45 to \$2.65. When the board came in, and we received our bids, the highest was \$1.88 and the lowest was \$1.74, which one of the bidders said was a great compliment to the board. We wanted to purchase a street sweeper, and an agent came to the board and told us he would sell it for \$400. He was told that he must understand that if he sold his sweeper to the city, that he would get every cent of the money called for in his order, that he did not have to treat a member to a cigar or a glass of beer. He said that under those circumstances we could have the sweeper for \$400. I asked him why he dropped to \$400. He looked at me and said, "It is no use my telling you, but we make up our minds when we go into a municipality to pay a council for their influence. We don't bribe them, we pay them a commission, and it runs from \$150, to \$200." We advertised for a sweeper, and this man's bid was \$475. We reminded him of his promise, and said we would give him \$350. He accepted that, and were sorry we offered him so much. The city owns its own waterworks, gas plant, and its own electric lights and sewers.

The city of Hamilton made the fight for every municipality in the United States on the question of a municipalities right to build and operate gas works, although there may be another company within the corporate limits. We fought that question in every court in the State, and up to the Supreme Court of the United States, and won in every Court. The old company's contract was \$2 per cubic thousand to citizens, with a penalty of twenty-

five cents if they did not go to the office and pay within ten days. To the city, the contract price was \$1.20 per cubic thousand. The council fixed the price to the citizens at \$1.75, and to the city at \$1.50. The company refused it, and went into court. So a few citizens got together and we decided to build the gas works and bond the city. We submitted it to the people and about four-fifths of them voted for it, and bonded the city for \$160,000. We built our gas works and sold our five per cent bonds. The interest amounts to about \$7,500 a year. To-day the citizens get their gas at 80 cents a thousand while the old company is charging seventy-five cents a thousand, the same company that said they could not make a profit and would have to close their works if the price was not one dollar and seventy-five, and one dollar and a half.

Mr. J. J. Pater, director Public Works, Hamilton, Ohio, says:—The city of Hamilton has a practical government under a new charter. Under the charter which we have secured from Legislature, the board of control is composed of three Democrats, and two Republicans. This was necessary to secure the passage of the bill. The first five members were appointed by the Judge of the court for one, two, three, four and five years. We have divided our city into five departments; each one of the five is a director of his department, yet at the same time is an agent of the board. In other words he cannot do anything in his department, he cannot appoint a man or discharge him, unless the same is confirmed or approved by the majority of the board. We have given our mayor the veto power, which we consider very good. It prevents the letting of midnight contracts. No city ordinance can be passed or go into effect until the same has been published for ten days, and must have the signature of the mayor. If the mayor votes such ordinance or contract it requires four out of five to pass the same over his vote. We have placed in the hands of the mayor the power to enforce the ordinances which we pass, and that is all. While we select the police force and organize it, we place it under the power of the mayor. We have found that this new form of government gives excellent satisfaction to the people of Hamilton. This board reduced the expenses of the city \$20,000 the first month it went into effect, which is a large amount for a small city, and we find that we have five men who are not hampered as other boards are. This board of control performs the duty of the city council, which we have wiped out. We legislate for the city and we see that the laws are enforced.

To return to the report of the committee of ten, it shows a large amount of painstaking work on the part of the committee. After a preliminary exchange of suggestions by correspondence between the members, a meeting of the committee was held, lasting from 8th to 12th July, 1899, when the views of the committee were reduced to definite propositions, tentatively adopted, which were referred to a sub-committee to elaborate into drafts, and these were submitted to the members of the full committee, and after discussing at a two days' meeting adopted and from the drafts as revised at this meeting the model charter as finally reported was prepared.

The report at page 2 of the proceedings says: "The fact that a body of men of widely divergent training of strong personal convictions, and who approached the matter in hand from essentially different points of view, could and did come to unanimous agreement that a "Municipal Programme" was feasible and practicable, and by fair and full comparison of opinion were able to embody the result of their agreement in definite propositions, is a hopeful augury that the general body of the league, after full opportunity for discussion, criticism, and interchange of views, can and will adopt either the committee's propositions, or some improvement upon them."

MODEL CITY CHARTER.

The proposed charter is on the Home Rule plan, the intention being, on the one hand, that

a city working under it shall require no outside help from legislatures, and on the other hand, that legislators cannot alter it except with the consent of the citizens. It is a model of simplicity compared with the Ontario Municipal Act. I give a summary of its provisions:

Article I provides the procedure for organizing cities under the charter.

Article II, in 17 comparatively short sections, defines the powers of cities much the same as the powers under our Municipal Act, only more concisely put.

Article III relates wholly to the mayor.

Section 1 makes the mayor the chief executive of the city and provides for a two year term of office.

Section 4 provides for the removal of the mayor for cause by the state governor, after opportunity for defence given.

Section 5 provides that the mayor and heads of departments shall have the right to attend and participate in meetings of council, but without the right to vote.

Section 6 gives the mayor the right to veto ordinances of council, but the council may pass vetoed ordinances over the veto under certain conditions.

Under section 7 the mayor submits the budget yearly to the council, and the council may reduce or omit any item in it, but shall not increase it.

Article IV deals with the administrative service of the city.

Section 1 provides that the mayor shall have power to appoint all heads of departments in the administrative service of the city, except the city comptroller, and subject to the provisions of the civil service regulations, which make up the remainder of this article, the mayor has power to appoint all subordinate officers and employees. All such officers and employees must be recommended by a board of civil service commissioners, after such examination as the board may prescribe.

Section 7 gives the mayor power to investigate any department or any official.

Article V treats of the council.

Section 1—The council shall consist of — members (in a foot note the number is given as not less than 9 and not more than 50), who shall serve without pay, one-third of whom shall be elected at each election, and on a general ticket by the city at large, ex-mayors have the right to participate in proceedings of council, but not to vote.

Under section 9 the council may investigate any city department or official.

Under section 11 the council shall elect the comptroller "who shall have a general supervision and control of all the fiscal affairs of the city" and the powers given to this officer by this section make him the city watch-dog.

With a mayor with a veto to watch the council, and a power to investigate everything; and a council always subject to a veto, and likewise with a power of investigating everything, and a comptroller sitting at the city strong box, taxpayers would have no occasion to grumble at waste of city money.

The conference disposed of the report of the committee by adopting the following resolution:

"That the report of the committee and criticisms and suggestions which have been made at this conference, or which may be hereafter submitted in writing shall be referred back to the committee, with instructions to complete their work, and to report a municipal programme for action at the next meeting of the league."

There is room here in Canada, one would think, for an association on the lines of the National League of the United States, and I would suggest that a committee be appointed by this conference to report a basis for the formation of such an Association.

Most people who know anything of city government will agree that the present system is capable of improvement. At all events whether the mismanagement and waste that is generally admitted, arise from our defective system or would exist under any system, cures

for existing evils, and the elaboration of a model charter for cities, to replace our poor, much tortured Municipal Act, these are matters that offer a fair field for serious study and discussion by a Canadian Municipal League.

Assessment.

By S. G. Dolsin, City Assessor, St. Catharines.

EXEMPTION OF LIABILITY ON GOODS AND CHATTLES.

Goods and chattles or merchandise of whatever kind, should be assessable in the municipality where found, whether used in manufacture or sold over the counter, as at present an extensive business may be carried on, and very small tax imposed. The wholesales virtually deriving the benefit. A large amount in this way escapes taxation altogether. There should be no exemption for liability against goods.

DOMINION OFFICIALS.

Incomes of dominion officials should not be exempt from taxation. All other citizens are liable to pay on personal earnings any sum exceeding \$700 while dominion officials are totally exempt and in many cases better able to pay. The exemption of \$700 on all is right, and all that it should be, as that amount as a general thing covers the income of clerks, laboring men and mechanics.

TIME FOR MAKING ASSESSMENTS.

The time for making the assessment should commence one month earlier than at present, viz: 1st of June. My reasons for coming to this conclusion are:

1. In many cases the time is too short to enable an assessor to give it careful attention, and get all necessary information.

2. The months of July, August and September are in the holiday season and many citizens of different classes are absent and a proper census cannot be made.

3. By commencing on 1st of June the assessor could get his field-work done before the hot weather sets in and before the exodus during the holidays, and before the city clerk sent out his tax notices, which are not very pleasant sometimes to come in contact with.

REAL ESTATE VALUATION.

The Assessment Act should be amended with regard to valuation of property to read actual value instead of actual cash value. This would apply in many cases when property has forced into the market through foreclosure and many other unfortunate circumstances of owners to cause the property to be sold under its real value when other property of a similar kind could not be purchased at these reduced rates; yet the assessor has many times been obliged to reduce the assessment on other properties that he may have fair and equal assessment, one with the other, when if he could shew that there was actual value he would be the better enabled to maintain his previous assessments.

POLES, WIRE, RAILS AND GAS MAINS.

The recent decisions upon assessing the plant of gas, telephone, electric light and power companies, street railways and telegraph companies are most unjust, and should be changed at once. You might as well apply the same argument to every other class of property. Take a dwelling and pull it down, and pile up the material, and see what you could get. Take a carriage and separate its parts and what would it be worth, and so on with everything, but unfortunately we don't see them in that condition, and should assess as we find them, which all reasonable men not otherwise interested, will readily admit is right and proper.

\$400 INCOME EXEMPTION.

The exemption of \$400 income from all sources should be struck out of the Assessment Act as it is most unjust, and an imposition upon a large class of taxpayers. The monied men in all municipalities who invest in mortgages or stocks should be satisfied by being assessed

only upon the dividend or interest they receive instead of calling it income and having \$400 of it exempted from being assessed.

To give you an illustration how this works in one instance. In our city we have a loan company, we used to assess the dividends they receive annually direct to the company amounting to say \$12000 to \$13000. Since the Legislature has thought proper to impose a tax upon loan companies, they say that we in future can only assess the company for the dividend received by the company for money invested within the city, which reduced their assessment to about \$4,000, but we could assess all stockholders residing in the city upon the dividends received by them. The company pays only at present 5 per cent. dividend. A list of stockholders was procured showing that a large number held stock amounting to say \$150,000, in sums varying from \$700 to \$8,000, and not one cent of which could be assessed because the income of the largest sum at 5 per cent. was \$400 and that was exempt. There was practically \$150,000 that we could not assess. So in the case of mortgage or bank stock paying 6 per cent, a man could have about \$7,000 and not pay any taxes at all. This does not seem to be right. I think our representatives should be made to see the injustice of this exemption and change the law if they are not too much interested themselves in leaving it as it is.

JOINT STOCK COMPANIES.

The Assessment Act exempting incorporated seminaries of learning, was intended to apply only to such institutions as had a special act of incorporation, such a thing having been passed for the specific benefit of such institutions, for reasons therein stated, but what do we find at the present time, a large number of educational institutions, business colleges, etc., carried on as joint stock companies. Not by special act of incorporation, but under the traders limited liability act, by which any five persons can form a company. The Assessment Act should be made plain, and this class of property assessable. If there is to be any exemption, it should be left to the municipality to grant it.

EXEMPTIONS.

All of the exemption clauses in the Assessment Act are worthy of consideration, and should be referred to a committee competent to deal with the subject, and of sufficient influence to be able to maintain their opinions in the halls of the legislature.

CENSUS.

The extra work imposed upon assessors requiring them to take the census every year might be just as satisfactory if taken, say every other year. The school census as taken by assessors is of no benefit, it is seldom used. The assessors' time could be better employed in studying up assessment values, for which he is chiefly appointed.

Ontario is Healthy.

THE DEATH RATE MUCH LOWER THAN ANY OTHER COUNTRY.

Comparison with the figures of other countries shows Ontario to be very healthy. During the past six months there were 12,444 deaths, or a rate of 10.9 for every thousand of the population. In 1897 the rate was 12. In England and Wales there were 17.1 deaths for every thousand; in Holland, 16.9; in Ireland, 16.6; in Austria, 26.4; in the State of Maine, 16.07; Connecticut, 17.5; and New Hampshire, 18.4.

Consumption caused far more deaths than any other disease. In Ontario for six months tuberculosis was the cause of 1,278 deaths.

Division Court Accommodation.

The Division Courts Act (R. S. O., 1887, chap. 60) provides for the furnishing of suitable and convenient places for the holding of the sittings of such courts. The municipality in which a division court is held shall furnish a court room, and other necessary accommodation for holding said court, *not in connection with an hotel*. In case the municipality in which the court is held does not furnish a proper court room, and other necessary accommodation for the holding of the court, the judge is empowered to hold the court in any suitable place in the division, or in any other division of the county in which suitable accommodation is provided, and the owner, lessee or tenant of the building in which the court is so held, shall be entitled to receive from the municipality whose duty it was to provide such accommodation, for the use of the building, the sum of \$5.00 for every day on which the court is held therein. In case a municipality (not being a town or city) furnishes a court room and other necessary accommodation for a division court, in the manner above mentioned, or pays any owner, lessee, or tenant for the use of any building, it shall be entitled to recover from any other municipality wholly or partly within the division for which such court is held, such reasonable share of the cost of providing accommodation for holding the court as shall in that behalf be decided and ordered by the judge of the said court, to be paid and contributed by the latter municipality, and in every such case, the total cost of providing such accommodation for holding the court shall be deemed to be \$5 for every day on which the court is held.

The sittings of a division court in a county town may be held in the county court house, and, in the case of cities and towns separated from the county, the use of the court house for such purpose may be taken into account in settling the proportion of the charges to be paid by the city or town for the maintenance of the court house.

A Novel Idea.

Sheriff Brady, of Woodstock, has signified his willingness to come to the rescue of that town next winter. He says he will turn out a brigade of tramps and other jail birds every day to shovel snow and work on the streets if the Town Council will appoint a reliable overseer to direct their work. He says that the County Council will offer no objection to the town getting the benefit, and he thinks that in the course of time the supply will probably drop off, which will be a good thing all round. This will not deprive any one of work, as these men will be put at work which now goes undone and is likely to go undone for a long time as things are managed at present.

Telegraph Company Assessment.

In a communication appealing from its assessment in Galt, Chas. P. Dwight, assistant general manager of the G. N. W. Telegraph Co., on behalf of the company, says that their assessment is excessive. Continuing, the letter says: "As you are probably aware, the Court of Appeal in Hamilton decided last year, in the case of the Bell Telephone Co., that under the Assessment Act, poles and wires could only be taxed on their abstract value as raw material, and not as part of a 'going concern.' Under this decision the Bell Telephone Co. appealed against the assessment of their property in Toronto, when a decision was rendered by three judges, McDougall, Dartnell and McGibbon, in December last, confirming that of the Court of Appeal in Hamilton and fixing the following values upon poles (no value whatever was attached to iron wire): 25 and 30 ft. poles 25c; 35 and 40 ft. poles 50c; 45 ft. poles, \$1; 50 and 55 ft. poles, \$1.50." Working on this basis, the company submit that \$40,56 would be a sufficient assessment for their plant in Galt. If the assessment is not voluntarily changed on the part of the town from the figure fixed upon, \$200, Mr. Dwight says, then the company will appeal to the court.

Commenting on the above letter, the Galt Reporter gives Manager Dwight the following well-deserved "roast": "Where the scrap iron valuation ought to come is on the citizens' estimate of General Manager C. P. Dwight and his fellow mossbacks in the head office. This man Dwight is everlastingly poking his nose into municipal affairs of Toronto, writing to the newspapers advising tax payers to do this and that for the embellishment of the city. Yet he complacently looks out on streets lined with his dirty, crooked, shop worn, unpainted poles, which disfigure the business and residential streets of Toronto. In the representative cities of the United States the Western Union and Postal Telegraph Companies have buried their wires, to their own advantage; but it hasn't occurred to General Manager Dwight to emulate the example of the progressive telegraph directors of the republic. When the head of the Great North-West Telegraph Company is not finding fault with municipal officials and their ways he is calmly dosing in his office, letting that part of the property under his charge which is visible to the public, present innumerable evidences of ruin and decay. The company's poles in Galt have not been painted for a generation, and perhaps, if they had tongues, would be forgiven for claiming to be only scrap, in the sense that they are nearly worthless. That 'scrap-iron' valuation provision is in many respects an outrage."

"So your fox terrier has been stolen, Miss Mary?"

"Yes. Isn't it a shame? And I had just paid this year's dog tax on him, too."
—Chicago Record.

QUESTION DRAWER.

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

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

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

Poundkeepers and Notice to Fenceviewers.

396. POUNDKEEPER.—Re R. S. O., 1897, chapter 272, section 20 and 21. Is it the poundkeepers' duty to notify the fenceviewers of their appointment? If not, whose duty is it?

The Pound Act does not make it the duty of any one of the parties interested or affected to notify the fenceviewers of their appointment. Under section 20 the owner, distrainer and poundkeeper are entitled to appoint a fenceviewer each and section 21 makes it the duty of the fenceviewers "within 24 hours after notice of their appointment as aforesaid," (that is after they are appointed by each party under section 20) to determine the matters in section 21. After the fenceviewers are appointed by each of the parties it is their duty to arrange a meeting.

Non-Resident Councillors—Leave of Absence, Resignation.

397.—T. W. S.—John Brown a member of a village council removes therefrom and takes up his abode in a neighboring town 18 miles distant, embarking in mercantile business.

1. Can the village council grant John Brown leave of absence, and if so, for what period?

2. If the village council cannot grant John Brown leave of absence would his seat become vacant forthwith, and would the council have to fill the vacant seat?

3. Provided John Brown attended any of the meetings of the village council before the council for the new year was formed, even though he was granted leave of absence, or not, would the acts of the council be legal?

4. The location that John Brown fills at the present time would be against him being legally nominated a member of the particular village council in question, and the fact of him having taken up his permanent abode in a neighboring town, would, methinks, be a proof that his seat was now vacant, and that the council would be compelled to declare it vacant, and cause it to be filled in the legal way, and that they would have no authority to grant a leave of absence, neither would they wait for him to absent himself for three months in succession, before declaring his seat vacant. The end of the year is near at hand, and the principal council work done, thus making it quite easy for the council to do the work nicely without John Brown's presence, if such could be done legally.

1. Yes, for such period as they may see fit, by a resolution entered on the minutes.

2. No, not until he has absented himself from the meetings of the council three months without leave of absence granted as above.

3. Yes.

4. This question is answered by the above. See Sec. 207 of The Municipal Act.

Municipal Clerks and Dominion Voters' List.

398.—F. J. C.—It is understood that the Dominion Government at the last session changed the law so that the municipal clerks now furnish the voters' list instead of the clerk of the Peace. Is this so?

No.

Poll-Tax By-law—School Trustee Nominations and Election.

399.—T. J. R.—1. Is a by-law necessary to collect poll-tax in a municipality?

2. Is it \$1.00, or \$2.00?

3. Public school nominations are not held on same day as municipal nominations. When two men are nominated to fill a vacancy and we do not want a show of hands, at what time in the proceedings must the poll be demanded?

1. Sec. 97 of the Assessment Act provides that the tax therein mentioned (generally termed "poll tax") "shall be levied and collected at such time, by such person, and in such manner as the council of the municipality may, by by-law, direct."

2. \$1.00.

3. You do not say whether the poll is or was to be held in a rural or an urban municipality. Different statutory provisions apply to each, and we must have the above information before giving a reply to this question.

Selection of Jurors.

400.—T. J. W.—In selecting jurors under section 22 of the Jurors' Act for a town divided into wards, is it proper to treat each ward as a separate municipality?

2. Supposing there are three wards and thirty jurors were required to be drawn from the town, is it proper to select ten from each ward, irrespective of the initial letters of their names. In our town we have three wards and the clerk has adopted the practice of selecting an equal number from each ward, and as some wards have far less names commencing with the same letter than others. We are selecting jurors whose names commence with different initial letters in each ward. In one ward we were drawing jurors whose names commenced with "W," in another ward the names commence with "H" and so I contend that the jurors should be drawn without regard to wards or polling sub-divisions, and that the names of jurors commencing with the same initial letter should be exhausted in all the polling sub-divisions before commencing with the next letter.

1. No.

2. No. We are of opinion that jurors should be selected from the municipality as a whole. All the names commencing with one initial letter should be exhausted before selecting from those beginning with another.

Income Voter—Payment of Township Councillors.

401.—QUERCUS.—1. A is in receipt of \$700 income. Can he vote? and what amount is taxable? Is he liable for statute labor or poll-tax?

2. Is land taxable where there is no road leading to it?

3. Are you acquainted with any council which holds its meetings in the evenings and has no mileage and yet collects indemnity?

1. We are not in a position to answer

this question unless you let us know whether the income you mention is derived from A's personal earnings, or from other sources or from the two combined. See Sec. 7, sub-section 26 of the Assessment Act.

2. Yes.

3. Sec. 538 of the Municipal Act, sub-section 1, provides that councils of counties and townships may pass by-laws "for paying the members of the council for their attendance in council, or for paying any member while attending on committee of the council, at a rate not exceeding \$3 per diem, and five cents per mile necessarily travelled (to and from) for such attendance. Sub-section 2 provides for the remuneration of aldermen in certain cities. We know of no legal reason why councils should not hold their meetings in the evenings if they so desire.

Collector's Seizure—Limitation—When Collector's Duties Commence.

402.—SUBSCRIBER.—1. Can collector seize goods in 1899 for taxes on the roll for 1888?

2. Is there a fixed date to start collector out collecting on roll?

1. No, because the tax appears to be 11 years in arrears.

2. Yes, on or before the 1st day of October, or such other day as may be prescribed by by-law of the local municipality. See section 131 of the Assessment Act.

Quarantine Expenses—Who to Pay.

403.—P. Mc. A.—There was a case of diphtheria in our township. The man employed his own family doctor to attend the patient. The doctor notified the Board of Health and the medical health doctor placarded the place. He was not asked to attend the patient. His doctor used 8 bottles of antitoxine and other medicines, for which he asked the council to pay. This man says he took all precautions to prevent the disease from spreading. For this reason he claims the township is responsible for the medicine used. He does not ask the township to pay the bill as a case of charity, but says the council is responsible. The council claim they are not responsible for the bill as the man is well able to pay it.

1. Is the council responsible for the bill?

2. Would the act of the medical health officer in placarding the house leave the township liable?

3. I see nothing in the statutes that leads me to believe that the township is responsible for the bill.

I had a part of my fences burnt by fire from G. T. R. trams. In a few days I sent in my claim. They have acknowledged receipt of my letter, said they would attend to it in a few days. They have not done so as yet. The date of the fire was August 15th, 1899.

4. Is there a time fixed by statute when I must take action against the Grand Trunk if they do not settle this claim in proper time?

5. What course am I to take if I have to go to law with the Grand Trunk?

1. No.

2. No.

3. We are of the opinion that you are correct in your belief.

4. Yes. Six months next after the time when such damage was sustained, etc. See section 27, chap. 29, R. S. O., 1896, and section 42, chap. 207, R. S. O., 1897. This is in accordance with the decisions of the court up to the present time.

5. Employ a lawyer, and sue the company for the amount of damages you have sustained.

Ditches and Watercourses Engineer.

404.—Z. R.—This municipality has several watercourses awarded under the Ditches and Watercourses Act. The rule of the council was to appoint two competent persons to act as special engineers. Every course of the said act was to be followed in matter of awarding each of said watercourse or ditch. The only difference is that said special engineer and inspector appointed by the council to attend to the work of such watercourse or ditch was appointed by resolution of the council instead of by by-law. Now a little difficulty arose when some party, interested in the watercourse, neglected to perform their duty in making their share of the work. The engineer so appointed by resolution only went and sold (by order of the council) by public auction to the lowest bidder, one of the party's work not performed. Said party did not want to pay the cost, neither did he want to have this charged against his land by tax. What I want to know is this:

1. Are those watercourses legally awarded by those engineers appointed by resolution of the council only?

2. If not, what course should the council take to have said work legally done?

(I may state that we have seven watercourses making 25 miles of watercourse awarded that way. All the cost of awarding the same is paid and mostly all the work done except a few parties in arrear of their work.)

1. Section 4, sub-section 1 of the Ditches and Watercourses Act (chapter 285, R. S. O.) provides that "every municipal council shall name and appoint by by-law one person to be the engineer to carry out the provisions of the Act, etc." Section 3 enacts that "every engineer appointed by a municipal council under this section shall, before entering upon his duties take and subscribe the oath set out therein. Section 3 gives the meaning of the word "Engineer" to be "Civil Engineer, Ontario Land Surveyor, or such person as any municipality may deem competent and appoint to carry out the provisions of this Act."

Though the appointment of the engineer was by resolution, and therefore insufficient in law, we are of the opinion that it is now too late to raise any objection on that score, and that the awards can be enforced.

Moving Fences on Highways.

405.—G. L.—Can any person move their fence out on the road from the place where it has been over twenty years?

A person cannot obstruct a public highway by moving a fence or placing any other obstacle thereon.

County Bridge Built—Flume of Water Power.

406.—E.—1. A bridge on the dam at the water privilege is maintained by the county. The bridge is rebuilt and the length of spans changed, and the bents or span are placed on the plank bottom of the flume. The result is, the flume continually leaks, and is a damage to the mill owner. Has the county a right to build from the floor of the flume?

2. If not, what remedy has owner?

The road in question is a road in lieu of townline.

If the bridge stands wholly upon the highway we cannot see how the owner of

the mill-dam can have any right as against the county for what has been done. On the other hand, if the bridge encroaches upon his property the county is liable for any damage occasioned thereby.

Clerk's Fees—School Debenture By-Law.

407.—W. W. H.—1. Can a clerk of a municipal council, where he has a salary to do all the work per year, collect a charge for preparing a by-law and issuing debentures for a school section to build a new school?

2. Can the said clerk charge the section for such work?

1 and 2. Sub-section 4 of section 70 of the Public School Acts provides "that the expenses of preparing and publishing any by-laws or debentures, and all expenses incidental thereto, shall be paid by the school section on whose behalf such debentures were issued." If the council has to pay anything for the preparation of the by-law the amount paid, provided it is reasonable, must be paid by the school section. When the clerk prepares such a by-law the council cannot charge anything to the school section unless it has paid the clerk. We think the council, when the clerk prepares such a by-law, should allow him a reasonable sum for preparing it and charge the section with the amount.

Statute Labor—Lessees Mining Lands.

408.—H. L. B.—Can the lessees of mining lands, owned by the Government, be compelled to do road work for said lands, and if liable for such road work, can they demand legally roads to be made in the vicinity, and by whom, viz., the Government or the council of the township?

Sub-section 1 of section 7 of the Assessment Act exempts from taxation "all property vested in or held by Her Majesty" as this property appears to be. Sub-section 1 enacts that "where any property mentioned in the preceding clause (sub-section 1) is occupied by any person other than in an official capacity, the occupant shall be assessed in respect thereof, but the property itself shall not be liable." If a person is assessed as an occupant we think he becomes liable for statute labor and if he neglects to perform it the tax may be placed upon the roll and recovered in the manner provided by the Assessment Act. Such a person cannot compel either the Government or the municipality to establish roads for him.

Place of Voting for Council and School Trustees in Town.

409.—I. B. A.—Can the council of a town have all the voting in one place instead of four, as our town is in four wards, and how would the council do? Would they have to pass a by-law, or just by motion of council, and could they have all the voting for trustees in one place same as council, as they are for wards, and the council votes all over?

We assume that your town has a population of less than 5,000, that you elect your council by a general vote, and that there are four polling places, (one in each of four polling sub-divisions) at which votes are received. Section 535 of the Municipal Act, sub-section 2, enacts that

councils of towns may pass by-laws, for dividing the wards of the city or town into polling sub-divisions, and section 536, sub-section 1, provides that each of such polling sub-divisions shall not contain a larger number of electors than 200. The number of polling sub-divisions into which your town should be divided is therefore regulated by the number of electors therein. Any alteration in the number or boundaries of the polling sub-divisions should be effected by by-law of the council. A resolution is not sufficient to satisfy the statute. Section 57, sub-section 3 (latter part) enacts that where a poll is demanded for the election of school trustee in a town a poll or polls shall be opened at such place or places, and in each ward, where the municipality is divided into wards, as shall be determined by resolution of the trustees.

Under section 58 of the School Act the trustees may give notice to the clerk of the municipality on or before the 1st day of October requiring the election for trustees to be by ballot and when that is done the election is to be held at the same time and place and by the same returning officers and in the same manner as the municipal elections. See sub-section (3) of section 58.

Council's Liability—Closing and Opening Roads.

410.—EX-COUNCILLOR.—Some six years ago a by-law was passed in a municipal council closing up a certain road running diagonally across part of township, said road having statute labor performed on it for years. In closing up the road in question it rendered a certain sideline useless except to party owning land along it, and was likewise a sort of trap for strangers to drive into it as it terminated at a creek, and the sideline also required a bridge to be kept up. About two years after the road in question was closed, the council passed a motion allowing the party owning land along the sideline to close it up until required by the council. The sideroad was accordingly closed and a gate put in at the end in order that if any one had reason to use it, it would be convenient. And now a second party notifies council that said sideroad must be opened, as it is very inconvenient on account of its being closed although the party has every privilege of road, if so disposed, to use it with the gate so stated.

1. Will the council be required to order the sideroad opened?

2. If so, will the municipality be required to put in a bridge where it crosses a gully?

3. Or would the party complaining be required to show where inconvenienced before any action would be taken?

1. No proper legal proceedings appear to have been taken to close the sideline, therefore we are of opinion that the council must see that all obstructions placed thereon are removed.

2. The council, so long as the road remains as a public highway, must maintain it in such a condition as will render it reasonably safe for parties having occasion to use it. If the bridge you mention is necessary to put the road in this condition, the council must see that it is built.

3. No. If the sideline in question is too expensive to maintain the council may close it subject to the provisions of section 629 of the Municipal Act.

Cattle Guards on Railways.

411.—O. B.—Early this summer the section boss on the Air Line got orders to fill all cattle-guards on his section at public crossings, thus leaving no guard at all. Some find it a great inconvenience in driving stock across the railroad, as they are liable to go up or down, as there is nothing to stop them. One man had a flock of sheep get on the road in the night. They went around, got on the track, and after going about half a mile east were caught at a bridge and several killed.

1. Is the railroad company within their rights having no cattle guards on public crossings?
2. If not, who is the proper authority to look after it?
3. Is the municipality liable for damages that may occur to stock?

1. See section 13, chapter 109, consolidated statutes of Canada, 1886, and section 30, chapter 207, Revised Statutes of Ontario, which among other things provides that the company shall erect and maintain cattle guards at all highway crossings, suitable and sufficient to prevent cattle and other animals from getting on the railroad.

2. If the railway company neglects to maintain such cattle guards as the law requires it will be liable in damages for injuries sustained by cattle getting on the track owing to the absence or insufficiency of such cattle guards. There is no duty cast upon any person to notify the company in such a case.

3. The municipality is not liable in any way.

New Township—Trespass Road—Closing—Sue the Collector and Sureties.

412.—REEVE.—1. A owns 200 acres of land in the municipality. In 1880 the Ontario Government built a road through our township opening the side line between A's two lots; deviating with A's consent from the line to avoid a bad hill. This was before the municipality was formed and before A had a deed for his property. Where the road leaves the line the land is at present neither fenced nor cleared, being in bush. At our last council meeting we received notice from A in writing, that on the 5th day of November, 1899, he would shut up the road. Our municipality is poor and new and there are dozens of other places similar to this one described and it is a matter of impossibility for us to open the roads on the lines.

Are we obliged to open the road on the surveyor's line, and if so, is not the government to blame for instructing their overseers to leave the line where it is unreasonable to go up a hill. I have acted as overseer with such instructions? Statute labor has been performed year after year on the mentioned road and A has repeatedly acted as pathmaster.

2. In advertising our land sale this year we included lot 8, con. 2. The owner came to the treasurer with a receipt from our collector for the year 1895 and offered to settle the other two years 1896 and 1897 and tendered the receipt for 1895 in payment of that year's taxes which the treasurer accepted, observing that the taxes were not marked paid on the roll for that year. Owner is prepared to swear that he paid the taxes to collector's wife, who in turn receipted his tax-bill. Council notified collector who is quite indifferent about the matter. Collector's wife was in the habit of taking taxes.

What will we do to get the tax? Council still retain collector's bonds and this is the second case of the kind. You will observe that all this is in Algoma and we are under the Algoma Act.

1. Assuming that the sideline between A's two lots was and is a regularly survey-

ed and established Government road, and set apart by the Government for the use of the public as such, the council having done nothing to legally acquire or expropriate that portion of A's land acquired for the deviation, we are of opinion that A can close it up, and the council will have to open the road on the original line, unless the expense will be too great.

5. The council should sue the collector and his bondsmen to enforce payment of the taxes not paid over by him.

Removal of Island Obstructing River.

413.—M. H.—There is an island in a river which blocks up the ice every spring causing damage to the road, and also to the adjoining farms, forcing the water out of the natural channel of the river and causing it to cross six or seven farms doing great damage to fences and washing the soil of said lands.

1. Is it the duty of the municipality to remove said island?
2. If it is the duty of the municipality to remove, how should they proceed, if the owner of the island objects?
3. Is the municipality liable for damages done to private property through the said water?

- 1 and 2. No.
3. No.

Assessment Father and Sons.

414.—SUBSCRIBER.—John Jones is assessed for \$500, owner of real property. Can he and his three sons be placed on the municipal voters' list off such a qualification?

Section 86, of the Municipal Act, entitles a farmer's son to have his name entered upon the assessment roll, where the farm contains not less than twenty acres, and to have his name on the voters' list provided the farm is of sufficient value to give himself and his father the right to vote, and provided he complies with the other requirements of the Act. We refer him to sub-section "Fourthly," of section 86, and the interpretation placed upon the words "farm," "son," etc., and section 87 of the same Act as amended by the Act of 1889. If the father and son are assessed as joint owners, it is the duty of the clerk to make out his voters' list, and to be guided by the assessment roll, leaving it to any person who sees fit to complain, in case the fact is that any person's name was entered on the assessment roll whose name ought not to have been entered thereon.

Reeves' Resignation—Election.

415.—J. R.—On October 7th, the resignation of the reeve will be offered council. Reading chap. 223, section 207 and 216, I do not find it necessary for council to accept such resignation. The reeve would miss only one meeting and council would like him to retain office till end of term. Can he (with consent of council) legally do so?

N. B.—Our reeve has accepted a position as Instructor in Michigan Agricultural College; hence his action. We do not wish an election, if possible to avoid it.

We are of the opinion that the council is not bound to accept the reeve's resignation. He will not have absented himself from the council's meetings for three months until the end of the year. Section 207 empowers the council, by resolution,

to authorize the reeve to absent himself. If the council does this, the reeve may legally retain office until the end of the year, and no election to fill his place will be necessary until the general elections in January, 1900.

Culverts in Road Ditches—Sidewalk on Townline.

416.—C. B.—Re the culvert in front of the hotel mentioned in question 384 September issue. The hotelkeeper neither asked for a culvert nor complained in any way. The ratepayers of Culross complained to board of health of green stagnant water in the ditch. The contract was \$80 for removing old culvert, cleaning ditch and building culvert. The culvert could be built for about \$40. A few years ago Culross paid about \$60 for putting boxing in ditch on the Carrick side, and Culross has for many years paid from \$30 to \$60 annually for sidewalks on the Carrick side, and although about two-thirds of the village is in Carrick, Culross pays half of expenditure on sidewalks. With the exception of culvert there has been no joint expenditure on Culross side of the road.

1. Could the municipalities compel the hotelkeeper to build the culvert to keep the ditch from being filled in?
2. Could the road commissioners legally put in boxing and culvert so as to keep the ditch open?
3. Can Culross refuse to maintain the sidewalk on the Carrick side after the present one is decayed?
4. Can Culross compel Carrick to build and maintain a sidewalk on the Culross side of the road?

1. The rights of the hotelkeeper are subservient to those of the municipalities in the matter. The latter's duty is to build and maintain the culvert in such a way as to best suit the requirements of the highway and the public using the same. If the hotelkeeper, for his personal benefit or advantage, requires anything to be done to the culvert, in addition to the above, he must do the work at his own expense, and in such a way that he will not interfere with the proper use of the ditch or drain by the municipalities.

2. The road commissioners are called upon to construct only such a ditch or drain as, in their opinion, will best suit the requirements of the municipalities.

3. Yes.
4. No.

Form of Tax Notice.

417.—J. F. H.—Will you please inform me if it is necessary for a collector to furnish to each ratepayer an itemized bill of taxes similar to the forms issued by the THE MUNICIPAL WORLD for the use of collectors? That is showing the assessment of each parcel of property, and total assessment, also showing the rates levied for the several purposes, so that each ratepayer may figure up his taxes for himself. The collector for the municipality of A, in which I hold property issues a tax notice of the following form:

TAX NOTICE.

\$30.16 "A" Nov. 14th, 1898.

Mr. J. B.
To the Corporation of "A" Dr.

Taxes for the year 1898,	\$	c.
Township Rate.....		
County Rate.....	12	90
General School Rate....	8	60
Special School Rate.....	8	66
		<hr/>
	\$30	16

J. A., Collector.

Is the above form of notice sufficient?

2. If not, what steps would you advise to compel a proper form to be used.

1. Reading section 129, and other sections of the Assessment Act, along with section 134, we are of the opinion that fuller information should be furnished to ratepayers than what is contained in the form which you have given us, in order that the person from whom taxes is demanded may see how the total tax is made up, but also whether any particular rate is valid against him or not, so as to enable him to tender the amount which he thinks is right. In a recent case Chief Justice Armour said, "It is for the interest of the municipality, as well as for the interest of its ratepayers, that all the provisions of the Assessment Act for the collection of the taxes should be strictly followed."

2. The law does not provide any means by which a collector can be compelled to use any particular form of demand. The council should see that he uses a form in respect of which there can be no doubt.

Meat Peddlers By-law.

418.—S. H.—THE MUNICIPAL WORLD for June 1897, question 247 asks: "Can a municipal council in an incorporated village pass a by-law preventing non-residents peddling fresh meat in the village?" Your answer is "No" to both questions. In the March number of same year, question 118, you say they cannot discriminate between persons inside and outside the town. February of the same year, question 56, answer is the same.

Our council passed a by-law which says that no person shall sell or peddle fresh meat on the streets of the town, neither in lanes, vacant lots nor anywhere else, unless in a shop kept for that purpose. Our town solicitor says it is perfectly lawful. THE MUNICIPAL WORLD says "No."

I would like to say that I have always had faith in the answers in your paper. We are an incorporated town; have no market.

Can the council legally pass a by-law to compel a farmer to take out a license to peddle meat in the town, and not ask our butchers to do so?

We have examined the questions above referred to, and the opinions given by us, and we find that they are not inconsistent with the opinion of your solicitor in regard to the validity of the by-law passed by your town. Your by-law appears to comply with subsection 4, of section 580, of the Municipal Act. It does not discriminate in favor of one person against another, so that there is not the same objection to it as there was to what was done, or proposed to be done in the cases referred to in the questions previously asked.

Union School and General Rate—Unorganized Township.

419.—CLERK.—The municipality of M. annexed a portion of territory during the last year, and the recently annexed territory takes in a portion of a school section, say two-fifths, the remaining three-fifths being in unorganized territory. The Trustees of said section require \$72.00 to be raised off that portion of the section lying in this municipality.

1. How should an equalization be made? Mention sections in R. S. O., bearing on equalization.

2. How is the general school rate to be arrived at? *i. e.*, how is that \$72.00 asked for by the trustees to be divided so as to raise the proper amount as general school rate?

3. What information is it the duty of assessors to furnish to the clerk?

1. Sub-section 2, of section 66, chap. 292, provides as follows: In the case of union school sections the municipal council of each municipality of which the union school section is composed, shall levy and collect upon all taxable property of the respective municipalities, the said sum in the proportion fixed by the equalization provided under section 51, of this Act. Section 51, of the Act, requires the assessor of the municipality in which the union is situate, to determine what proportion of the annual requisition made by the trustee shall be levied upon the property of the respective municipalities. As one portion of this union school section is in an unorganized district, this section does not fit the case literally, but we think that the person appointed by the trustees under section 26, of the above Act, takes the place of the assessor of the municipality, and that your municipality is liable to contribute its share under section 66 upon that basis, and no more.

2. Assuming that your union school section is one in which school has been kept open the whole year, employs one teacher, and by general school rate you mean that mentioned in section 66, subsection 1, of the above Act. The above being the case, the proportionate part of the \$72.00 to be levied in your municipality as general township school monies due the union school section is two-fifths of \$150.00, or \$60.00. The balance, \$12.00 is to be levied only on the lands in the portion of the union school section in your municipality.

3. The assessors should report their decision as to the assessment equalization to the secretary-treasurer of the union school section; and it is the duty of the board of trustees to require or provide for the proportionate levy in each portion of the union school section.

Non-Resident Statute Labor Unincorporated Village.

420.—D. A.—We have an unincorporated village in our township, plan of which is registered. The village is set apart by by-law commuting statute labor at 75 cents a day, for improving sidewalks, streets, etc., and all properties assessed at \$250, and under are taxed at 1½ days. There is only one non-resident lot in said village, but it has always been on assessment roll and is rated at \$75. Owner claims his property does not come under our by-law and refers to Assessment Act, chap 224, R. S. O., section 102, (2), and our council lets it go for the matter of say 37 cents commutation tax. If this is correct, (which I doubt) it is certainly a very great injustice. Please give your opinion.

We are of opinion that the lot you mention is a portion of a farm lot, and is therefore chargeable with commuted statute labor as provided in section 102, subsection 2, of the Assessment Act.

Roads in Ireland

The method of carrying on the Irish road work is very different from that in this country. Each Irish county is divided into a number of districts, known as baronies, which vary widely in area. Each barony has a representative in the grand

jury of the county. Formerly the grand juries exercised practically complete supervision over the roadways, but to-day their power has been delegated to a considerable extent to the district boards, called the Baronial Presentment Sessions. These boards are composed of the magistrates of the district and a certain number of the largest taxpayers. All applications for works and expenditures must be made to the boards, which are advised by the county surveyor. The Baronial Sessions then decide, first, to approve or reject the applications; and second, if the works are approved, the sums to be granted for them. The works which are sanctioned in this manner are then advertised and subsequently sent up to the grand jury for approval. All public works must be submitted for contract, and the lowest tender must be accepted if it is considered bona fide, and the sureties are sufficient. In case no tender is received the grand jury may entrust the execution of the work to the county surveyor, provided it does not cost more than the appropriation made by the Baronial Sessions. Formerly this latter power did not exist, and, in the absence of tenders, no work could be carried out under grand juries, a fact which was the cause of great inconvenience. Thus, in one county, more than four hundred miles of important roads were at one time almost impassable, as no contractors could be induced to tender for their repair and maintenance except at fabulous prices, fixed by themselves. An energetic county surveyor with the assistance of a number of public officials, succeeded in remedying this state of affairs in the manner mentioned. In case of a sudden accident to roads or bridges the local magistrates have special power to provide sums up to \$250 for repairs, and in case larger sums are necessary the Lord Lieutenant can order special Baronial Sessions to be held for the purpose of making an appropriation.

Under this system the county surveyor is an officer with very responsible duties. He obtains his appointment by an open competition conducted by civil service commissioners for each vacancy. The assistant surveyors are appointed by the county surveyors, who are allowed as many as the grand juries may consider necessary; but before an assistant can be appointed he must have a certificate of qualification from the Board of Public Works in Ireland.

The contracts for the repair and maintenance of roads may be made for as long as seven years, but the average length is from three to five years. Payments on such contracts are to be made twice a year. The work is usually let to local farmers or to persons engaged in business in the district. The roads are divided for contract purposes into sections from half a mile to six miles long. The materials are procured under special provisions which give large powers to enter upon private property for this purpose, if it is proved to the satisfaction of the magistrates that suitable materials cannot be conveniently obtained elsewhere.

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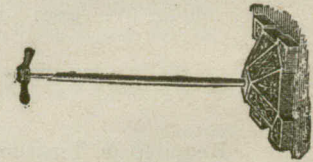
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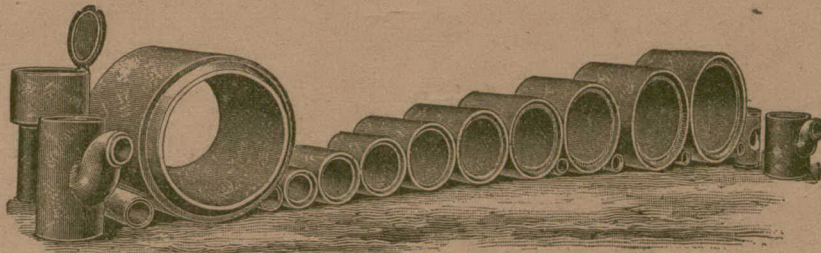
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