

The Municipal World

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

Vol. 2.

ST. THOMAS, NOVEMBER, 1892.

No. 11.

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The "Klip," No. 1, will bind one or two volumes of this paper. No cover required. Send for pair of Klips and Keys. Price, 25 cents.

ADDRESS—

THE MUNICIPAL WORLD,
ST. THOMAS, ONT.

CALENDAR FOR NOV. - DEC., 1892

Legal, Educational, Municipal and Other Appointments.

NOVEMBER.

1. Last day for transmission by local Clerks to County Treasurer of taxes on lands of non-residents.—Assessment Act, Sec. 121.
Last day for transmission of Tree Inspectors' Report to Provincial Treasurer.—Tree Planting Act, Sec. 6.
The first day on which deer mink, muskrat, sable and martin may be killed.
9. Last day for Collector to demand taxes on lands omitted from the roll.—Assessment Act, Sec. 154.
15. Day for closing Court of Revision in Cities, Towns and Incorporated Villages, when Assessment taken between 1st July and 30th September.—Assessment Act, Section 52.
On and after this date, Councils of Townships, Cities, Towns or Villages may enter on lands and erect Snow Fences.—Snow Fences Act, Section 3.
Report of Medical Health Officer due to Local Board of Health.—Public Health Act, Schedule A, Section 1.
Last day on which deer may be killed.
30. Last day for Municipality to pass By-laws, withdrawing from Union Health District.—Public Health Act, Section 41.

DECEMBER.

1. Chairman of Board of Health to report to the Council on or before this date.—Public Health Act, Schedule A, Section 3.
Last day for appointment of School Auditors by Public and Separate School Trustees.—Public School Act, Section 37 (1); Separate School Act, Section 28 (5).
Municipal Clerk to transmit to County Inspector statement showing whether or not any county rate for Public School purposes has been placed upon Collector's Roll against any Separate School supporter.—Public School Act, Section 113, Separate School Act, Section 50.
Subscriptions to MUNICIPAL WORLD due.
Last day for Councils to hear and determine appeals where persons added to Collector's Roll by Clerk of Municipality.—Assessment Act, Section 154.
13. Last day for Public and Separate School Trustees to fix places for nomination of Trustees.—Public School Act, Section 102 (2); Separate School Act, Section 31 (5).
14. Last day for payment of Taxes by Voters in Local Municipalities passing By-laws for that purpose.—Municipal Act, Section 489.
Last day for Collectors to return their Rolls and pay over proceeds, unless later time appointed by Council.—Assessment Act, Section 132.
County Treasurer to pay Township Treasurer rates collected in Township.—Public School Act, Section 122 (3).
Local Assessment to be paid Separate School Trustees.—Separate School Act, Section 55.
15. Municipal Council to pay Secretary-Treasurer Public School Boards all sums levied and collected in Township.—Public School Act, Section 118.
County Councils to pay Treasurer High School.—High School Act, Section 30.
High School Treasurer to receive all moneys due and raised under High Schools Act.—High Schools Act, Section 36 (1).

* NOTICE *

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

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

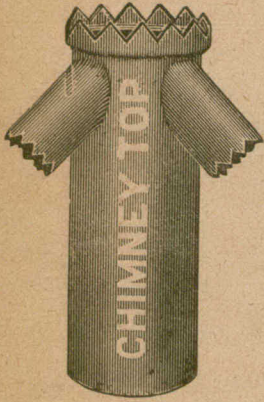
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2. Refusing to take the paper from the Post Office, or requesting the Postmaster to return it, or notifying the publishers to discontinue sending it, does not stop the liability of the person who had been regularly receiving it, but this liability continues until all arrears are paid.

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ELLISON & LEWIS

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

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

ST. THOMAS, NOVEMBER 1, 1892.

Every municipal council should endeavor to have its financial business completed as near as possible during the present month. The Act requires a meeting of the council to be held on the 15th day of December for the purpose of preparing a financial statement for publication, showing a detailed statement of receipts and expenditures for the portion of the year ending on the date of such meeting, together with a statement of the assets, liabilities and uncollected taxes. A similar statement in detail respecting the last fifteen days of the preceding year, 1891, is now required to be attached thereto. Every effort should be made to have this statement show as clearly as possible the financial condition of the municipality. We know that to satisfy individual ambition, particulars that should be included are often kept back, so much so that members of councils have been placed in a very unenviable light when the auditors' report was published and compared with the statement required on the 15th December.

In the majority of municipalities, the candidates for the coming municipal elections have already announced themselves, and very often where the contest is a close one, the candidates make promises that they regret having made after election. No man should aspire to a seat in a municipal council, unless he has the welfare of the municipality at heart, and wishes to see the business thereof conducted strictly in accordance with the principles laid down in the Municipal Act, and, in order to do this, councillors should not be controlled by sectional feeling, or by those who may have taken advantage of election excitement, to secure promises, that, under different circumstances, are found to conflict with the carrying on of the business of the municipality in a straightforward manner.

Nearly all the county councils will meet during the present month, and many resolutions referring to the reduction of the members of the county councils will no doubt be considered. The provincial government, through Mr. Hardy, introduced a bill at last session in reference to the matter, which, on account of the opposition thereto, was withdrawn; we are informed it is to be presented in a different form next session. County councils should, for the information of our legislators, place upon record their opinion by petition, or otherwise, and show whether or not they are in favor of a reduction, and if so, state the most equitable plan for carrying out the proposed reform. In this issue will be found particulars relating to election of county councillors both in the United States and England, together with other information that may be of assistance in suggesting ideas as to the best means of effecting the reduction, and still leave the county council as representative as at present.

We are pleased to acknowledge receipt of annual report of the department of agriculture, Ontario, 1891, and also report of fish and game commission. The latter is a work of art, and shows that the gentlemen who composed the commission have left nothing to be desired in the way of information concerning matters brought under their special consideration.

From information received, we believe that sub-section 22 of section 569 Consolidated Municipal Act, permits of great injustice being done by the withdrawal of names from petitions required before drainage works can be undertaken. As this section is at present, any one who has signed a petition is at liberty to withdraw therefrom and abandon the same at any time before the expiring of the time limited for appeal from the proposed assessment to the court of revision, and, if on account of such withdrawal, the work cannot be proceeded with, all of the persons who signed the petition, including those who withdrew their names, are liable *pro rata* to the municipality for the expense incurred in connection with the petition. We think this subsection should be amended so that no one could withdraw his name from a petition on which the council have taken action, without permission from the council, and such withdrawal should at no time be consented to unless the party or parties

withdrawing pay all of the expenses that have been incurred by the municipality in carrying out the prayer of the petition.

The York Recorder has been disputing the authority of the county council to grant street railroad franchises over the roads within the township, without first securing the consent of the township council. For years the county council has exercised full and undisputed control over the York roads, and has granted franchises to several electric railway companies, and it is now said that they had no right to grant these franchises, but that the right to grant such are vested in the townships, cities and towns through which the roads runs, and not in the county. *The Recorder*, in support of its contention, has published a complete history of the roads, with extracts from all orders in council statutes, etc., effecting them, and even if legislation should be indulged in to interpret the various documents published, we consider that the local municipalities, through which the railroads run, and who are more particularly interested, have the right to grant the franchises and make such arrangements as they may deem necessary in connection therewith, subject to the approval of any other corporation or company which may have obtained rights in the premises by purchase or otherwise.

The county council of Bruce will submit the question of the erection of a House of Industry for decision of the ratepayers at the municipal elections. A special committee, appointed at the June session, have issued their report on the subject, showing that \$11,500 had been paid throughout the county in three years for relief of the poor; that in counties where Houses of Industry have been in operation for some years, the ratepayers are well satisfied, and would not return to the old system, and that the average cost per week for maintenance of inmates in different institutions in the province is \$1.10 per week.

A Gigantic Almanac.

There is a wonderful almanac coming out in Canada, nearly four hundred pages, with colored maps, to be known as the *Star Almanac*, and to be published by the publishers of the *Montreal Daily and Weekly Star*. It is to be ready shortly. So much has it been admired that the publishers have received security for the publication of fifty thousand copies.

Reduction of Members of County Councils.

A municipal system, to which we are indebted for many of our best ideas is to be found in England and in the newer states of the union, in all of which the county system has been introduced, many improvements have been considered, and tend to do away with the objections that are complained of in the older settled counties. In England the county has gradually sunk from a self-governing community into an administrative district, and in recent times these boundaries have been so crossed and criss-crossed with those of other administrative areas that very little of the old county is left in recognizable shape. For almost every new administrative function, complains one of the recent hand-books on the subject, the legislature has provided a new area, containing a new constituency, who, by a new method of election, choose candidates to satisfy a new qualification, to sit upon a new board during a new term, to levy a new tax, and and to spend a good deal of the new revenues in paying new officers and in erecting new buildings. Among the institutions that have been erected with little or no regard to their fitness with the old counties, or with each other, might be mentioned the poor law parish, the highway parish, the urban and rural sanitary district, school districts, boroughs and Improvements Act districts.

The municipal commission report, referring to these independent bodies, states that by the Local Government Act, the powers of the quarter sessions as to highways, bridges and other works have been transferred to the county councils, whose members are elected, and this change may lead to a complete and simple system. The number of county councillors in the English counties is very large. The members are composed of two classes, councillors and aldermen; the latter always number one-third of the former. The largest council contains 140 members, the smallest 28, with an average of about 75. The councillors are elected by the qualified voters of the county and hold office for a term of three years, and retire in rotation. The aldermen are elected by the councillors, either from their own number or from the qualified voters outside, and hold office for six years, one-half of their number retiring every three years. For the election of councillors the county is divided into electoral districts, corresponding in number to the number of councillors, one councillor being chosen from every district. The boundaries of these districts may be changed by order of the local government board, on the recommendation of the council. The local government board is, in form, a committee of the privy council. It is a separate and independent department, under the control of the president, and may be called the English department of the Interior. It is charged with the supervising of the

administration by the local authorities of the kingdom, of the laws relating to the public health, relieving the poor and of the local government, duties more important to the daily good government of the country than those of any other department. From the English system we can draw but little information that would assist us in proposing a plan for the reduction of the members of councils in Ontario. The division of the counties into electoral districts has been found to be necessary, and more so, as the township system, which has been generally adopted in this continent, has been rendered unnecessary by the many irregular and complicated divisions above referred to. In the United States, the county and township system has been adopted throughout. In Michigan, as in New York and other states, the county board is composed of the supervisors of the several townships, and thus represent the townships. It is held that this is the most approved form of local government, but, on the other hand the objection is made that county boards, thus constituted, are too large. In the states mentioned there are no less than sixteen, and sometimes more than twenty townships in each county, and in a board of sixteen or twenty members, it had been found hard to fasten responsibility upon any body in particular, and that it was possible to have combinations and indulge in that exchange of favors known as "log rolling." The responsibility is more concentrated in the smaller county boards of Massachusetts, Wisconsin and other states, in which three commissioners are elected by the people for a term of three years, one retiring each year. For the purpose of electing, the counties are divided into three districts, and a commissioner elected for each by the voters in the district. Districts are composed of townships, and in dividing the county into districts the population of the townships is considered. Here we find two systems, one in which the number of members of the county council is found to be too large, the other in which the number of members is fixed at three, and for this purpose the county is divided into districts. An American writer states, "It is objected that the supervisors, (reeves, and deputy reeves under the Ontario system) are unable to conduct county affairs as speedily and intelligently as the commissioners. The number, it is asserted, is too large for the transaction of fiscal and other executive business requiring special consideration and special knowledge, and it must be confessed, whatever may be the countervailing advantages of these more democratic organizations, that this objection is sometimes a very serious one, particularly when a county contains within its limits a city or large towns entitled to representatives on the board." It is contended that the work done by large county councils could be done more satisfactorily by a smaller body, and that much

of the county expenditure was practicably uncontrollable and the expenses of the councils quite out of proportion to the amount that they may dispose of at their discretion.

A great deal has been written as to the best means to adopt to effect a reduction of the number of members of county councillors, so that it will be representative. Mr. McEvoy in his essay on the Ontario township, refers to this question as follows: "In order to bring the observation of county business home to the electors, it would be well to elect a county council independent of the township council. Let the electors of each municipality nominate candidates for county councillors at their township nominations, and let the township clerks return these nominations to the county clerk, who shall be ordered to prepare ballots containing the names of all the candidates nominated throughout the county, and send whatever number of these may be needed to each township clerk before election day. When the electors come to vote for their township councillors let them also vote for their candidates for county councillors. Let a statement of this vote in each township be forwarded to the county clerk, and let the fifteen who obtain the greatest number of votes constitute the county council. By this means every member would represent not any particular township, but the whole county and the members would, I submit, be as likely to do justice between the several townships as those chosen on the present plan." In the April number we suggested another plan worthy of consideration, which is to divide each county into districts, composed of polling sub-divisions or local municipalities, so that each district will contain about the same number of votes and to elect district county councillors independent of the local township councils. In this way the number of members of county councils could be easily controlled, and, at the same time, give an equitable representation throughout.

The county council should have the regulation of all matters of detail in connection with the division of the county into districts. The nominations for each district may be made in manner proposed in Mr. Hardy's bill, which was as follows: On or before the first day of December the clerk of the county may receive nomination papers for one or more county councillors, signed by fifty or more rate-payers. The nominees must have the same qualifications as municipal councillors. If only the number to which the county is entitled are nominated—for instance, if the county is entitled to nine councillors and only nine are nominated—they will of course be declared elected by acclamation. If more than the requisite number are nominated, and an election is required, the nominations will be sent to the township and other local municipali-

(Continued on page 150.)

House of Industry.

County of Brant.

The institution in this county, which is situated just outside of the corporation of the city of Brantford, was established during the year 1888 under the most favorable circumstances, inasmuch as the county and city had received donations from wealthy residents to the amount of \$20,000 to be used for the purpose of purchasing a farm and the erection of suitable buildings for a house of refuge. The first inmates were admitted about the 10th of January, 1889.

The main building, 50x80 feet, is constructed of brick, with a stone basement, and during the year 1891 the government grant, amounting to \$3,500, was expended in building a wing, 24x36 feet. In the basement is situated the kitchen, pantry, store-rooms, and dining-rooms for the inmates and keeper, laundry, cellars, heating apparatus and lock-up. The kitchen is supplied with a large cooking range, agricultural boiler for making soup, and sink, in which is placed a pump connected with the water supply outside the building. The dining rooms are furnished with chairs and three tables in each, and granite-ware cups, etc., are used where possible, and are thought to be better than tinware, and more economical than crockery, which is very liable to be broken. The laundry is supplied with stationary tubs, in part of which the water is heated by steam. There is also a stove with boilers for use in the ordinary way. No drying apparatus has as yet been supplied. We believe it could be introduced to advantage in one of the adjoining rooms. The building is heated throughout with steam and one room of the basement is used for the location of the boiler and other apparatus in connection therewith. The system is a good one, although at first the boiler introduced was not of sufficient capacity. This has now been remedied, and no difficulty is anticipated in the future. Stairways at either end of

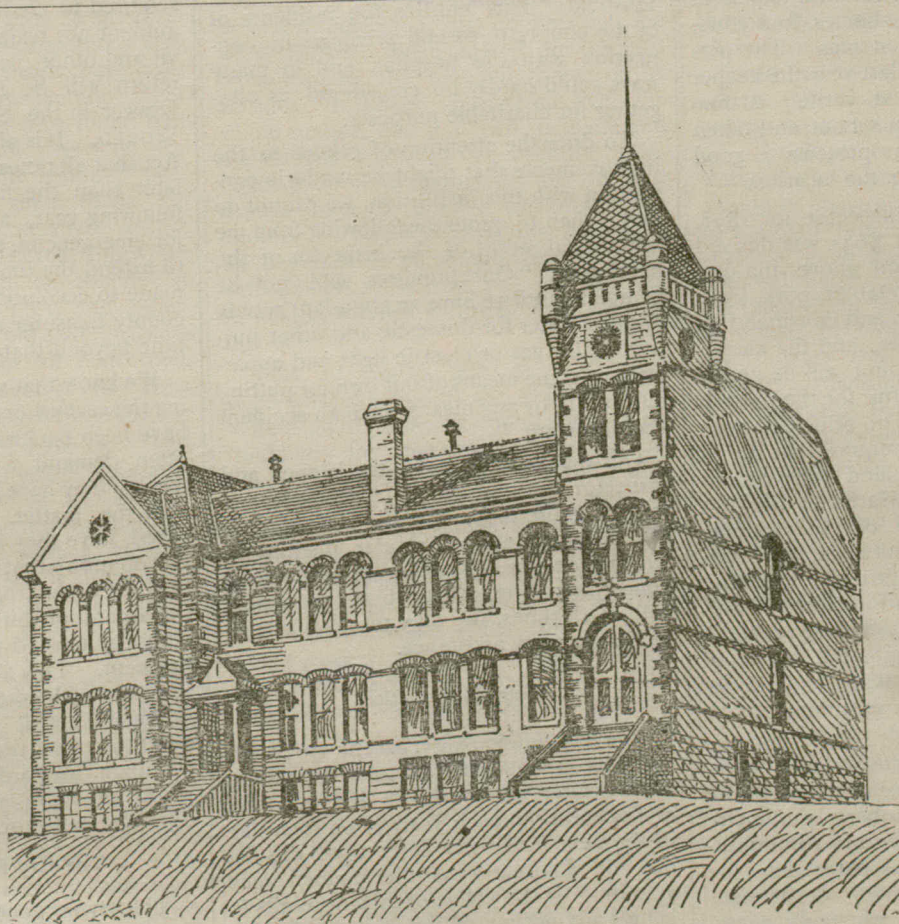
the basement connect it with the first floor, which is used by the women, and it is on this floor that the keeper's apartments, consisting of a parlor, sewing room and two bedrooms are situated. The women's dormitory is large, and contains seventeen beds, and on this flat the new wing contains four rooms, intended to be used for hospital purposes, one of which is now used for a sleeping room. The bedrooms are furnished throughout with iron bedsteads and woven wire mattresses. There is also a sitting room for the use of the women, and a wash-room, containing four basins, bath, and water closet. The next flat is used by the men, and provides

The system of painting the walls of the room and halls of the institution has been commenced, and is one that should recommend itself to all those in charge of similar institutions, from both an economical and sanitary point of view. It saves the use of lime, kalsomine and other preparations on the walls and can be cleaned most efficiently with water whenever required. We noticed that the sitting rooms used by the inmates in the day time were supplied with a few comfortable cots, which are occupied by infirm inmates, who are unable to sit up during the whole day, and enables the management to keep the sleeping rooms closed

and in better order and more thoroughly ventilated.

Owing to the peculiar location of the building, which is on a ridge of ground scarcely as wide as the building itself, separate yards have not been provided for the use of the male and female inmates. From experience we think this should receive the attention of any similar institutions in which they have not been provided.

The water supply is poor. Soft water is collected from the roof of the building and stored in cisterns, and a spring of water suitable for domestic use is situated in front of, and a short distance from the institution. The bath rooms, wash rooms, and water closets are supplied with water from a tank erected on the premises. The question of water supply will no



HOUSE OF INDUSTRY—COUNTY OF BRANT.

for one large dormitory, containing nineteen bedsteads and two small sleeping rooms, a sitting room, bath room, and, in the new wing, hospital wards. There is also on this flat a room used by the physician of the institution, in which he keeps his medicine case and supplies.

There are at present thirty-eight inmates—nineteen men and nineteen women. The experience of the management is that there are generally a few more men than women. Among the inmates are two insane and two idiots, which should be provided for in some of the government institutions erected for the care of these unfortunates. The interior of the building presents a very clean appearance.

doubt be remedied in the near future by the extension of a pipe from the city waterworks to the institution. The sewerage consists of drains to a cess-pool about eight feet deep, constructed in the rear of the institution, from which the sewage is pumped into a tank and distributed over the farm.

The dietary of the inmates consists for breakfast of porridge, milk, bread, and tea with sugar and milk; for dinner, they have soup three times a week, always meat and vegetables; for tea, bread and butter, sauce or pudding, etc., and this bill of fare is varied according to the season, and nature of the supplies from the farm. The supplies of bread and meat are purchased

by contract, and all other articles required are purchased from the cheapest market. This system is found to be satisfactory and economical.

The farm consists of forty-five acres, the greater part of which is hilly, and, in addition to this, twenty-five acres adjoining is rented. The barn is a large frame building, with stone basement, 34x60 feet. This provides ample accommodation for horses, cows, root cellars, etc., and, in fact, is just what is required for an institution of this kind. The barn is painted, which adds greatly to the appearance. There is also a large hog pen, implement shed and drive house, all conveniently situated and suitable for the purpose for which they have been erected. The farm stock at present consists of three horses, four cows, one heifer and nineteen pigs. The pigs are raised for sale, and last year the keeper fed and sold several fat cattle. A fine young orchard has been set out, and taken all together the farm presents a good appearance, considering the location.

The report of the inspector for 1891, shows that a revenue of \$634 was derived from the farm over and above the produce, milk, butter, vegetables, pork, fruit, etc., raised on the farm and consumed in the house by the inmates, and the keeper informs us that this amount will be nearly doubled when the returns for the present year are completed. The principal crops raised are such as are required for use in the institution, and all land not required for this purpose is cultivated to the best advantage for the sale of the produce. The total cost of the institution, with hospital annexed, barns, furniture, heating apparatus, live stock and implements and land amounts at the present time to in the neighborhood of \$23,058, the whole of which has been more than made up by the donations and government grant received.

The management consists of a committee, composed of three members of the county council, two members of the city council, one life member and two honorary members. The inspector has the general oversight of every department and visits the institution whenever necessary. The keeper and matron have the immediate charge of the inmates and have, as assistance, at present, one hired girl and a man, whose time is fully occupied with the work of the farm. The salary of the inspector is \$150 per annum; the keeper and matron, \$450; the physician, \$150 per annum. In addition to this, there appears in the inspector's report for 1891 an item for \$356 for the wages of the farm and house help during that year. The average cost per week for the maintenance of the inmates including salaries, clothing, farm implements, live stock, etc., during 1891 was \$1.44. The actual cost per week for maintenance, amounted to only thirty-one cents, after deducting sale of produce, etc., and is good evidence that the overseer and

matron have been careful and economical.

The expenses of the institution are divided into two classes; that of maintenance, and the general expenses connected therewith. The general expenses are borne by the different municipalities in the county of Brant, including the city of Brantford, in proportion to their population, and the expense of maintenance which is about one-quarter of the whole, is paid by municipalities sending inmates to the institution.

In addition to this expenditure on behalf of the poor, the county provides for one destitute insane person at an expense of \$60 annually, and also makes a yearly grant of \$500 to the Brantford General Hospital. This entitles the residents of the county to certain privileges in connection with the hospital, and in many ways could hardly be considered as altogether for charitable purposes.

To draw the attention of others to the improvements that might be made in connection with this institution, we cannot do better than to quote the following from the last annual report of the inspector of the institution, "Our premises will not be complete until we have an abundant supply of good water for domestic and other purposes, also gas or electric light and apparatus, or some means of our own for putting out fire, if, by any means, such an accident should occur."

Our thanks are due to the keeper and inspector for information furnished, and we can assure those who are interested in the management of similar institutions who are desirous of obtaining information concerning him, that these gentlemen will, at all times, be only too glad to render them every assistance.

Collector's Duties.

In every municipality, except cities, the collector is required to return his roll to the treasurer on or before the 14th day of December in each year, or on such day in the next year—not later than the 1st day of February—as the council may appoint. If the collector fails or omits to collect any portion of the taxes by the day appointed, the council may, by resolution, authorize the collector, or some other person in his stead, to continue the levy and collection of unpaid taxes. No such resolution alters the duty of the collector to return his roll, or in any manner invalidates or effects the liability of the collector or his surety.

In cities, the council may, by by-law, fix the time for the return of the collector's roll. If any of the taxes mentioned in the collector's roll remain unpaid, and the collector is unable to collect the same, he is required to deliver to the treasurer an account of all the taxes due on the roll, and on such account, shall give a reason why he did not collect the same by inserting in each case "non-resident," or "not sufficient property to distrain," or "instruct-

ed by council not to collect." The collector is required to furnish the clerk of the municipality a duplicate of such account at the same time. When the clerk receives the account, he is required to mail a notice to each person in respect of whose lands taxes appear to be in arrears for that year. The collector is required to make oath before the treasurer that the sums mentioned in his account remain unpaid, and that he has not, upon diligent enquiry, been able to discover sufficient chattels, or goods belonging to, or in possession of the person charged with such account, or on the premises belonging to, or in the possession of any occupant thereof, whereon he could levy the same. The treasurer is required to credit the collector with the amount not realized. The form of affidavit and other particulars relating to this return will be found in the Question Drawer in the September number of the WORLD. It is clearly the intention of the Act that all taxes should be collected not later than the first of February of the following year, and although to provide for emergencies, the council are permitted to extend the time, no provision has been made to accommodate the returns for the county treasurer and the extension of the time beyond that date.

We know that some collectors, after calling the second or third time on those who have been backward in paying their taxes often demand a small fee for the extra trouble they have been put to in connection with the matter. The question is often asked, have they a right to charge this fee? Our opinion is that they have not, but, instead of going to the trouble of calling on parties the second or third time, they have the authority to send the bailiff to enforce the payment. This action would of course be attended with costs to be paid by the party in default, and if the collector makes an effort to collect the taxes, the parties they call upon can hardly object to pay a small fee for the extra trouble imposed by them upon the collector.

The Cry for Good Roads.

The cry for good wagon roads is going up all over the country. Let the cry continue until the federal and state governments find that it will be popular to build great highways. The money spent in this way would bring comfort and opulence to the doors of the farmer and his contemporaries who live in the towns and cities of this country. What better way to expend money can there be than this? Let us have the good roads. Farmers can appreciate a fine highway as well as city folk a paved street.—*Progressive Age.*

The ideal road has been obtained in portions of France, Belgium and Germany by the construction of a solid Macadam track and planting the sides of the road with fruit trees, from which a considerable income is derived, besides adding beauty to the landscape.—*Chicago Inter-Ocean.*

ENGINEERING DEPARTMENT.

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

Roads and Roadmaking.

All roads should be made wide. It is a mistake to suppose narrow roads are the cheapest. Of course, when constructing a new road the cost is in proportion to its width, but a narrow road is always the more expensive to maintain, owing to the vehicles being compelled to keep more or less to the one track in the centre, nothing being more destructive than the constant wear in one track. A wide road is always more evenly worn all over, provided, of course, that it is constructed according to scientific principles and kept in good repair. But there is yet another and a very important advantage that wide have over narrow roads; *i.e.*, the greater amount of light and air obtained, and it will be found that a wide and open road will always be dry long before a narrow and confined one. When roads, especially main roads, are laid out, care should be taken to secure plenty of land for the eventual full width of the road, as it can then be obtained at a very slight additional cost, and otherwise the widening of an old road is always a most expensive work for all concerned, not to mention the number of fine trees and often buildings destroyed thereby.

The cross-section of a road is a very important point, and over which there have been great differences of opinion. It should neither be too flat nor too rounded. In the former case the surface water remains on the road instead of draining off into the side ditches, whereas, in the latter, owing to its great convexity, vehicles can only travel with comfort, or indeed with safety, in the centre of the road, thereby soon making three tracks there, and, as has been before remarked, nothing destroys a road sooner. But there is yet another disadvantage, and that is, that as soon as the traffic is driven off the centre of the road a double wear takes place, owing to the tendency of the vehicle to slide down the inclined plane by force of gravity, and as this tendency is perpendicular to the line of draft, the labor of the horse and the wear and tear of both wheels and road surface is much increased. The sole object in rounding the surface is to allow the water to run off freely, and I think that it is now agreed that a slope of one inch to every six feet width of metaled road, or a slope of one in seventy-two, is sufficient for all roads constructed of good, hard material; provided, of course, they are kept in good repair. Macadam says: "I consider a road should be as flat as possible, with regard to allowing the water to run off it at all, because a carriage ought to stand upright in travelling as much as possible. I have generally made roads three inches higher in the centre than I have at the

sides, when they are eighteen feet wide; if the road be smooth and well made, the water will run off very easily with such slope." The drainage of surface water is much more effectually obtained by selecting a course of the road that is not horizontally level, because then the slightest wheel track becomes a channel to carry off the water, whereas, in the case of a level road it must be apparent to every one that no matter how rounded the surface may be, every track mark becomes a basin to hold it. The roadbed must now be excavated to the same contour as the finished road is to be, not with any idea of drainage, because it must be remembered that as soon as the road becomes subject to rolling or the pressure of heavy vehicles, the road material becomes forced down into the roadbed and the soil in its turn worked up into stone so that the whole becomes amalgamated, but because by so forming the roadbed, there will be an equal thickness of material over the whole surface, and if a road is made and maintained according to scientific principles there is no reason why any one part should have a greater thickness than another. The bed, being now formed, if on clay or stiff soil, should be well rolled with a horse roller from two to three tons in weight, when it will then be ready for the material.

This, of course, very much depends upon what is found in the neighborhood. Where good stone is found this is undoubtedly the best material for country roads, but where no stone is found, either gravel must be used or stone must be brought from a distance, in which case it is merely a question of cost. But where good stone is plentiful we need not bother about anything else. But I may say that the most excellent roads can be made with gravel, if care is taken in selecting the same, and that, when well rolled and grouted with good binding material.

The most important quality in stone for roadmaking is its toughness to withstand the crushing strain of heavy loads. The best stones are, therefore, the granites and trap rocks. Good roads may be made with beach pebbles, but being round they must be well grouted with a good binding material. The harder limestones are also suitable, but owing to their property of absorbing moisture they are too liable to be injured by frost.

FOUNDATION.

The great desideratum in roadmaking is to so construct the road surface that no moisture shall penetrate the foundation, so preventing the mud from working up into the stone. To insure this, there must be a compact and solid foundation. Macadam's idea of having an elastic roadbed is, I think, quite exploded by this time. In theory, it is quite correct but. If a truly elastic road could be made, it would doubtless be the best for ease of draft; but no elasticity, except it be on the surface of the road, should be allowed,

and, with the material used at present, it is an impossibility. Wood pavement set on a solid concrete foundation is the nearest approach to an elastic road yet discovered. But in the case of a stone road, the foundation cannot be too solid. It has been proved by actual experiment that in the case of a stone road built on a yielding or loose foundation, great wear takes place towards the bottom, whereas, when constructed upon a solid or rigid foundation, the wear of the base is almost imperceptible, all the wear taking place upon the surface. And I think I am correct in saying that all the best authorities now recommend what is called the Telford road, which is constructed on a roughly paved foundation composed of good touch stone from nine to twelve inches deep, carefully laid by hand across the road with the thinnest edges upward, this is then gone over with hammers, all projections, knocked off, and the interstices filled up, the whole surface then shaped up to the proper contour and thoroughly rolled and consolidated. At all places where a great wash of water may be expected, rough stone gutters should be constructed of the same material as the road foundation. Where stone is scarce a good foundation may be made with well burnt clay, old bricks, etc., but anything likely to rot or decay should, by all means, be avoided. If the line of the road passes through a bog or spongy ground preparation must first be made for the foundation by laying two alternate layers of fagots crosswise and lengthwise.

Macadam was exceptionally successful in constructing roads over such ground, and in fact said he would rather lay a road over a bog than over a solid soil. This is how he became so favorably impressed with the idea of elastic roads.

Having now obtained a perfectly solid and rigid foundation the road is all ready for the reception of the finer stone, and a three-inch layer of the toughest stone, broken to pass through a two-inch ring, must now be laid and thoroughly rolled, when a second three-inch layer of the same stone, broken to pass through an inch and a half ring must likewise be spread and consolidated, great care being taken with this layer to properly shape the road service to desired contour. The road is now ready for its final dressing, and this should be a layer of the best trap rock screening, only sufficient being spread to fill up all interstices so as to present a smooth, firm surface for traffic; any beyond this will be merely wasted, as it will be turned into mud in the winter or dust in the summer. This last layer should be well watered while rolling, so as to wash the fine material into all spaces and to form a compact, impenetrable crust to the road. It is most important that this last layer should be perfectly clean and free from any soil or mould. Otherwise, in wet weather it will soon turn into mud and stick to every wheel that passes over the road. The foregoing measure-

ments and quantities apply to main roads subject to much traffic. In the case of accommodation roads less material will be found sufficient. A very good road may be made with a six-inch foundation of rough stones, one three-inch layer of one and one-half inch stone with necessary layer of screenings on top.

SIZE OF MATERIAL.

With regard to the size the stone should be broken, much difference of opinion exists, but I am of opinion that no stone, except for the foundation pavement, should be too large to pass through a two-inch ring or smaller than that passed through a one-inch ring. That stone will be found best for roadmaking that breaks into pieces as nearly cubical as possible; that which splits into long, thin pieces should be avoided. Stone broken by machinery can be used of a much larger size than that broken by hand, because the action of the crusher is to splinter some stones without breaking them, when the first heavy weight passes over them completes the fracture.

Ventilation.

[Continued from last Issue.]

Ordinary candles do not vitiate more than eleven cubic feet of air per hour per candle.

As the chief constituents of coal gas are carbon and hydrogen, so the principal results of its combustion are carbonic acid and water. This water in the form of vapor saturates the air of the room, which has a greater capacity for moisture when warm than when cold. This may be readily seen if in a close, warm room we examine the windows, where the moisture will be found condensed and perhaps running down the glass in streams.

The same effect will be produced by placing a glass bottle filled with cold water on the table, the moisture will be settled thickly upon it like dew upon the grass on a clear night. The reason is this, the air, cooled by contact with the cold glass, is no longer able to sustain the moisture and the latter is therefore precipitated in the form of dew.

The third cause I have mentioned is the presence of living beings in the room. Let us now consider the effect of this.

Man's body is a furnace, a slow combustion furnace if you will, but still a furnace, and the waste from the human furnace is precisely the same as that from any other, viz.: carbonic acid and water. Our food having been decomposed in the body, is brought to a state proper for sustaining life and animal heat in us, as venous blood, it is submitted to the purifying action of oxygen brought into the body by the lungs. To quote the words of Prof. Tyndall: "In the animal body the hydrogen and carbon of the vegetable are again brought into contact with the oxygen from which they had been divorced and which

is now supplied by the lungs. Reunion takes place and animal heat is the result. Save as regards intensity there is no difference between the combustion that goes on within us, and that of an ordinary fire." We see then of what vital consequence is the presence of oxygen in the atmosphere. Without it, fires and lights will not burn, or food will not digest and the blood remains unpurified, as is seen by the pale faces and purple lips of people living in close, warm rooms. These are the fore-runners of certain death to the persons deprived of the life sustaining oxygen.

The other gases of the atmosphere have no power of the kind. It will be obvious upon consideration that, if a portion of the oxygen in the air we have breathed has united with the elements composing our food, that that portion is removed from the atmosphere, and must be replaced if breathing is to be continued.

It must not be imagined that we remove all the oxygen from the air we breathe; on the contrary the removal of a small percentage renders air incapable of supporting life and a still less diminution causes the difference between fresh air and vitiated.

Air, strictly speaking, is not a chemical compound, it is a mixture of gasses which preserve their individuality as sand and sugar would if they were mixed in a vessel.

Atmospheric air consists of a mixture of several gasses, for, though it is commonly said to be formed of oxygen and nitrogen in proportion of 21 volumes of the former to 79 of the latter in each 100, yet several other gasses are mixed with these. The composition of air varies with its situation. Thus, inland air is not of precisely the same composition as that near the sea coast where there is said to be a greater proportion of ozone. On rocky mountains there is more carbonic acid than is found in the valleys.

I have said a good deal about the fact which the act of breathing has upon the atmosphere, because I want to make very clear the fact that the same air should not be respired more than once and that it cannot be so, even in part, without danger to health. The other results of respiration, viz.: carbonic acid and water, have been mentioned before. They contribute to foul the air.

I think we may without serious error divide noxious gases into two classes, placing those which are negatively poisonous in one class, and those which are positively or actively so, in the other. To the former belong, as types, carbonic acid and nitrogen, both of which, though not injurious in themselves, are incapable of supporting life; so that an atmosphere composed wholly of these gases or containing them in undue proportion is fatal from its negative qualities to living beings. Carbonic acid gas, as before explained, is one of the products of combustion and respiration; while nitrogen forms 79 per cent. of

the volume of the atmosphere. Its negative qualities are there, however, counter-balanced by the presence of oxygen.

With gases of the second class the case is very different. Some of them, such for instance as sulphuretted hydrogen, and carbon oxide, are fearfully active poisons. The former exists in putrid eggs and some other animal and vegetable matters; also in certain waters called hepatic. It is usually formed in the putrefaction of vegetable and animal matters, hence it is found in sewers, and especially in cesspools and similar places where accumulations of this filth takes place. During the emptying of such receptacles workmen sometimes suffer from asphyxia.

The quantity of the air required by a man varies with the state of his body. Thus, a man at hard work or violent exercise may require even five times as much air as the same man when asleep.

There is one source of contamination of the air of our houses which often forces itself unpleasantly upon our notice. I mean the foul gases which escape from drains and water closets. It is not too much to say that if architect and builder always did their duty, no foul air from any drain or closet ought ever to enter a house, and that the negligence of one and the ignorance, or worse, of the other, must be charged with a greater destruction of human life, and with causing more disease every year, than has been produced by the bloodiest battle recorded in history.

It is impossible to estimate correctly the air contaminated from this source, I hope to show how such contamination may be avoided.

As a summary of results, we see what in a room of the net cubic capacity of 3,800 feet having a fire burning, inhabited by say, six persons, and lighted by three gas lights, there will be required every hour, so that the inmates may be healthy 1,694, or say 1,700, cubic feet of fresh air at 60 degree F.

But air expands 1.490, or 0.00204 of its volume for every degree F. it is heated; it is obvious from this, that, assuming the temperature of the outer air to be 32 degree F., we shall not require to admit so much cold air into the room by about 100 cubic feet, but exit must be provided for the full quantity.

I am aware that any proposal to admit cold air into a room will meet with opposition, and, were houses built upon principles worthy of our civilization, it might easily be avoided. I think, however, that, with proper means, the possible evil may be reduced as to be practically unfelt. I am also now treating of the existing houses which could not well be rebuilt or altered.

I would propose that in such houses where the want of ventilation is felt, the openings for the admission of fresh air should be made as near the floor of each room as possible, for it will be seen that the cold air will, on entering, be heavier

than that in the room, which will gradually force upward and out through the foul air channels.

Many people will probably say, oh, what a draft there will be to one's legs and feet. Doubtless if a good sized hole be cut through the wall, say directly opposite the fire-place, and you shut the door, and stand between the opening and the fire, very likely you would feel rather cool about the inferior extremities, but I do not propose a thing of this kind,

The fire must have its own separate supply, which would be given by means of a pipe leading through the hearth stone, as is sometimes done now, with the opening facing the fire, which latter, as it constantly acts the part of a pump, will take care to get its own allowance from the nearest source.

I would propose for existing rooms that the inlets should be made in the side walls near the floors, and in as many different sides of the room as its situation will allow, that these be made larger towards the room and that they should be enclosed by metal gratings, made ornamental on the outer and inner faces.

There is one point to which I would call your particular attention, and this is to place a fine wire gauze screen just behind the ornamental front. This serves a very useful purpose, for it screens and breaks up the entering current of air, preventing all drafts, and if the openings have sufficient area allowing the incoming air to mingle so gently with that now in the room that its presence is not felt, save in a pleasant way.

Specifications for Pipe Sewers.

All excavations shall be made of such depth and extent and division as shall be required to construct the sewer or sewers in question, and all the appurtenances thereto, in accordance with the plans and specifications for the same as prepared and directed by the city engineer.

The pipes used shall be vitrified, salt-glazed stoneware of the hub and spigot pattern. All pipes shall be of good material, thoroughly and perfectly burned, without warps, cracks, or other serious imperfections, and shall be well and smoothly salt-glazed in the best manner, and shall be subject to all tests ordered by the engineer at any time previous to their being laid.

All pipes are to be excavated for, and laid true in line and grade throughout, according to the lines and grades furnished from time to time. The ends of the pipes shall abut each other as closely as possible, when laid, so there shall be no shoulder or unevenness of any kind along the bottom half of the drain on the inside.

All pipes, previous to their being lowered into the trench, shall be fitted together on the surface of the ground and matched so that, when jointed in the trench, they may form a true and smooth line of tubes.

The joints, after being laid, shall be thoroughly filled with the best hydraulic cement mortar, and carefully wiped and pointed inside and out.

No walking on, or over the pipes after they are filled (except as may be necessary in tramping the earth in refilling) will be allowed until there is at least six inches of earth over them.

The interior of the pipe shall be carefully freed from dirt, cement and other superfluous matter of any description, as the work proceeds; for which purpose a disc, mould or plate, attached to a rod sufficiently long to pass two joints from the ends of the pipe last laid, shall be continuously worked through the sewer as it is being laid.

Whenever deemed necessary by the engineer in charge, the mouth of the pipe shall be provided with a board or other stopper carefully fitted, to prevent all earth or other substance from washing in.

Pipes having six-inch spurs with hubs moulded thereon for house connections shall be furnished by the contractor and laid at such points as the city engineer may designate, in front of each building or lot on the line of the sewer. Pipes with spurs of other dimensions and hubs moulded thereon shall be furnished and laid by the contractor for the connection of manholes, sewer inlets, etc., as may be directed by the city engineer or shown by plans in his office.

Unless otherwise permitted by the city engineer, the contractor shall, at all times, keep the back filling a distance of at least ten feet in the rear of the last pipe laid, and no pipe shall be covered until inspected by the engineer or his assistant in charge.

The contractor shall provide for the flow of all sewers, drains or water courses interrupted during the progress of the work and shall restore and make good all connections in such manner as may be directed by the city engineer. The contractor must take care of, and protect any gas, water, sewer or other pipes he comes in contact with. The invert or bottom of the trench shall be made to conform as nearly as possible to the form of the sewer pipe.

All superfluous earth left after the completion of the sewer shall be removed by the contractor and placed on other streets, under the direction of the city engineer.

Immediately after setting each piece of pipe, earth must be carefully tramped on each side of the same with proper tools, so as to effectually prevent displacement of the pipe which would destroy the bond of the cement in the joints.

The back filling must be well and thoroughly tramped for at least six inches above the top of the pipe, thereafter it may be settled by flooding it with sufficient water to puddle it completely and thereby effect permanent settlement. Whenever ordered by the city engineer the back filling shall be tamped. Manholes are to be

built to two ring of brick laid in cement mortar (one part of cement to two of sand) and per plans and detail on file in office of the city engineer.

All manholes and sewer inverts are to be furnished with iron grates or rings, as specially shown by detail plans in office of the city engineer.

Such grates and other castings are to be located and their number determined by the said engineer.

The sides of the excavation shall be supported by suitable planking and shoring whenever necessary in the opinion of the engineer, and in all cases the same is to be withdrawn as the work progresses, unless otherwise directed by the engineer. Whenever it is thought necessary by the engineer, the timber shall remain in the trench after the completion of the work, and the contractor shall be paid by board measure at current rates.

The contractor shall, at his own expense, pump out, or otherwise remove, any water which shall be found or shall accumulate in the trench, and shall also construct all dams or other works necessary for keeping the excavation clear from water during the progress of the work.

All material used and all work done must be satisfactory to the engineer, and any work done or material used not satisfactory to the said engineer shall be at once removed and work of required quality substituted.

Upon notice from the city engineer, the contractor shall at once discharge any unreliable or incompetent help he may have upon the work.

All stakes set by the engineer shall be kept uncovered and protected by the contractor. Those set upon the banks for station stakes shall in no case be removed or covered, but shall be maintained and protected as a matter of reference for the city engineer.

The exact location of all junctions in the line of the sewer shall be carefully maintained by the contractor by means of stakes set in the bank of the trench, or otherwise, until the city engineer shall make a record of their location.

Should there at any time arise any difference of opinion as to the interpretation of these specifications, the matter in question shall be referred to the city engineer, whose decision shall be conclusive.

Good Meters.

The Ontario Water Meter Company have recently put meters in Hamilton, Kingston, Woodstock and St. Thomas. They have also secured an order for a large meter for the Electric Light Company, of Kingston. The demand for these meters, which are manufactured in Canada, is constantly increasing, so much so, that they find it difficult to keep up to orders.

Heating by Hot Water.

The systems in use for warming residences are of two distinct classes; the first, and older, utilizes the heat near its source and uses only the direct heat of radiation, no attempt being made for the special conduction of heat; the second attempts to produce the heat at some one point and to conduct it by some means to the place where wanted.

In the first place we find the old fashioned fire place, with its excessive ventilation, and the modern stove with no ventilation at all.

In the second place we find the hot-air furnace, hot water heaters and steam heaters.

With the hot-air furnace the attempt is made to draw the pure air from the outside over a heated surface and then distribute it by the natural currents which result from heating, to the various places where wanted. This method of heating, unless extraordinary precautions be taken, which cannot be discussed here, is anything but positive. The hot-air currents are affected to a great extent by external conditions of the atmosphere. A heavy wind pressure on one side of the house may overbalance the force obtained by expanding the air by heat, and this is especially likely to happen if the horizontal distance from the furnace is great; the consequence is, that often the heat will not go where wanted. I have seen, in well constructed furnaces, an inverse current proceeding from the rooms over the heated furnace and passing outside. These conditions, which are as hard to remedy as a smoky chimney, tend to make the hot-air furnace anything but a positive heater under usual circumstances and conditions. Again, the heat from the hot-air furnace is likely to be carried by excessively dry air, which absorbs, moisture from the room, leaving a painful sensation difficult to describe, but which frequently brings on severe headaches. It is true that this last condition may be easily remedied, but it is also equally true that it usually exists as described.

The English method of hot-water heating employed pipes four inches in diameter, and consequently was not only costly, but had an unsightly appearance. This system has been used in this country only to a limited extent and that principally in the heating of green houses.

Heating with low pressure steam is very common in this country, and until within the last few years it has been regarded as being the most desirable of all the methods of heating. Steam heating has been perfected in nearly all its details. In the best systems there is little for the house owner to do except to maintain the supply of coal in the magazine of the furnace. An automatic device feeds water when needed, another shuts off or lets on the draught as the pressure steam gets too great or too small. Automatic air-valves on the radia-

tors let out the cold air when steam is turned on. Yet, despite all these perfections, there are some inherent defects in the nature of the fluid used for conveying heat, which prevent this method attaining absolute perfection. It is this, and it is a serious objection, too: There is no intermediate stage of heating by steam, the heat is either all off or all on. This arises from the fact that the temperature of steam is nearly the same at all pressures, so that, if there is any steam at all, the heat is nearly as great as though there was a full pressure. This fact explains why we so often get excessive heat from a steam heating apparatus, and also the loss of economy due to supplying more heat than is needed. The principal objection to the steam heating apparatus is, that the heat cannot be regulated in temperature by firing, or any automatic method.

It has been shown that the objection to the old method of hot water heating is due principally to the excessive cost and to the cumbersome size of the pipes used. The practice of using small pipe for hot water heating was started perhaps ten years ago, and strange to say, the results have been uniformly good, and perhaps in all respects superior to steam. The radiating pipes are now usually one-and-one-fourth inch internal diameter, and can be arranged like steam pipes by putting directly in the room to be heated, or at the bottom of the air passage leading to the rooms. The pipes may also be arranged vertically in radiators that appear much like steam radiators, but in the case of hot-water heating the hottest water must be discharged at the top of the radiator, and the coldest water discharged from the bottom. The radiator must be arranged so as to secure a current through each pipe of the radiator. The most successful radiating surface is a manifold coil, the hot-water being supplied at one end, and the cold passing out at the other. The return bend coil is by many considered superior to the manifold coil, but in practice it is not nearly so good; air very often gathers in the return bends and in such a case the circulation is entirely interrupted until the air is removed. In putting in systems of hot water heating, care must be taken to reduce the friction to a minimum in the circulating pipes. This is done by avoiding right angle turns of short radius, and by the use of valves that obstruct the flow but little. The pipes which return the cooler water to the boiler should run as direct as possible, and should always slope towards the boiler as much as possible. As compared with steam, hot water heating affords advantages of a more uniform heat, and a graded heat to suit the weather; the apparatus is less likely to leak and is more durable. Its first cost is about twice that of a hot-air furnace, and somewhat more than a steam heating apparatus. It requires, on an average, about twice as much heating surface as in steam

heating, or one foot of heating surface to from forty to one hundred cubic feet in the room. The cost of hot water heater is much less than that of steam boiler, although the radiating surface costs more.

Build None but the best.

The state should build a few great through highways, connecting with one another, the more important centers of population, and the lateral and connecting branches, and the strictly country roads should be improved by the country. And it is universally conceded that there is no stopping place half way in construction. Anything less perfect and durable than a first class Macadam is money wasted, and worse than nothing. It will take many years to put our country roads in first-class condition, but every dollar so spent will keep on saving dollars to the farmer for all time to come.

A Grand Bequest to Posterity.

All men work and plan, after supplying their own and immediate needs of their families, to leave a good inheritance to their children. All good citizens take into their plans of public expenditure the leaving of wise investments to the next generation. What wiser, surer and better inheritance can we leave to our sons and our successors than good roads—roads that can be preserved and used at little expense and that endure both as monuments and as investments during the years and the centuries to come.—A. A. Pope in Forum.

At the opening of the Court of Queen's in Montreal recently Judge Cross, who presided, in the course of his address to the grand jury, speaking of that body, said: "A learned author remarks that grand jurors are constitutional public censors; that the country relies upon them as such; and that, except by their presentments, public abuses, nuisances and oppressions might continue and escape with impunity. Modern legislation, has, however, much diminished the necessity for the exercise of many of the grand jurors' functions by creating such offices and duties as those of inspectors of penitentiaries, and the like, so that the action of grand jurors in this regard is less strictly followed than formerly and would almost seem to be made discretionary. There are, indeed, many well-informed and influential persons who argue for the entire abolition of this institution. I am far from being one of that number, and am conservative enough to hold it to be still a general protection against arbitrary and capricious prosecutions and a valuable constitutional mode for the complaint and rectification of public grievances, which, although it may at present be partially dormant, still may at any time be called into activity as occasion might require, and which it would be dangerous to dispense with."

LEGAL DEPARTMENT.

H. F. JELL, SOLICITOR,
EDITOR.

Legal Decisions.

BANNON VS. THE CORPORATION OF THE CITY
OF TORONTO

This case decides that the power given the municipal corporation under sec. 285 R. S. O. chap. 184. to determine the time during which victualling licenses shall be in force does not confer any power to forfeit such licences, but merely to fix the duration of the license.

The power to create a forfeiture of property, is one which must be expressly given to a corporation by the legislature, and such an extraordinary power is least of all to be inferred, where the legislature has provided other means of enforcing by-laws by means of fine and amercement as in this case.

THE QUEEN EX REL CHICK VS. SMITH.

This was an appeal from the order of His Honor C. R. Horne, the county judge of the county of Essex in a "*quo warranto*." Proceeding commenced at the instance of Thomas Chick to set aside the election of J. A. Smith as councillor for the fifth ward of the town of Windsor. From his honor's judgment, the facts and circumstances of the case appear to have been as follows: The relator sought to disqualify the respondent as councillor for the fifth ward of the town of Windsor, on the ground that at the time of the election he had not the necessary property qualification. The respondent in his oath of qualification, qualified, or sought to qualify, as tenant of the north part of lot 3, part lot 1, west side Windsor avenue, of the value of \$1,200 and over, the property was assessed \$17.00.

The election was held on the 28th of December 1891, this being the day of nomination, the polling being on the 4th of January, 1892. The roll for 1891 was finally revised on the 18th day of December 1891. The respondent became the tenant of the property on which he sought to qualify, on the 1st day of February 1891, so that he was not assessed on the assessment roll for 1890, which was the last revised roll before the election, for the property on which he took the oath of qualification. The respondent contended that in 1890 he was rated as tenant on the roll for that year, of the west half of lot number 10, north side of Chatham street, farm 81 and 82, for the sum of \$2000, and that such property was alienated by him to his landlord on the 1st day of February 1891, and that, as he was at the time of the election tenant of the property on which he sought to qualify that he had been duly elected. After the several sections of the statute relating to the subject, his honor decided that under the circumstances the respondent had not at the time of the election complained of, such an estate as would qualify him for the

office of councillor, and that he was not duly elected. On appeal it was held by Mr. Chancellor Boyd that the town councillor could qualify under R. S. O. chap. 184, sec. 73, as amended by 51 Vic., chap. 28, sec. 9, since the cesser of the term of the first leasehold amounted to an alienated by operation of law within the meaning of the statute.

ELLIS VS. CLEMENT.

The use by riparian proprietors of the waters of streams through whose lands they flow must be a reasonable use, and the proprietors so using the waters must restore them to their natural channel before they reach the lands of the proprietors below them. The defendant in this action in restoring the water of a stream used by him, to its natural channel, did so at such times and in such a manner, that the water froze as it was being restored, and formed a solid mass of ice, completely filling the natural channel, so that the water coming down flowed away from the channel and over the plaintiff's land, and thereby caused it injury. From the evidence it appeared that the cause of the water freezing, as it did, was the times at which, and the manner in which the defendant so restored it, and was a natural result thereof, and it was given in evidence that the plaintiff had remonstrated with the defendant, and had pointed out to him the consequences of his action. It was held that the defendant's use of water was unreasonable, and, as there was no proof to sanction a prescriptive right to restore the water at the times, and in the manner in which the defendant so restored it, he was liable to the plaintiff for the injury he had so sustained; his conduct being wrongful; his persistence in it was malicious; and the injury to the plaintiff, too, an invasion of his rights, and imported damage, whether there was any actual damage or not. It was also held that, even if there was a cause for which the defendant was not responsible, concurrent with the wrongful acts complained of, and contributing to the injury sustained by the plaintiff, the plaintiff would still be answerable for the injury sustained by such wrongful acts for such damages or such portion thereof, as was caused by the wrongful acts complained of.

RE DWYER AND THE TOWN OF PORT
ARTHUR.

By section 52 of the Assessment Act where the assessment in cities, towns, etc., is made by virtue of a by-law passed under that section, in the latter part of the year, such assessment may be adopted by the council of the following year. It was held that "may," as used in said section, is permissive only, and that the council of the following year are given the option of having a new assessment.

REDOLBEAR AND THE TOWNSHIP OF BROOKE.

Judgment on summary application by Calvin J. Dolbear and Richard Ansley to quash a drainage by-law of the township of Brooke, passed on 28th June, 1890.

This application was not launched until 19th June, '892. By R. S. O., chapter 184, section 571, the time within which such an application must be made is three months. The learned chief justice holds that the application is too late and dismissed it with costs.

HOWARTH VS. TOWNSHIP OF SOUTHWOLD
AND M'GUGAN.

Judgment in action tried with a jury at St. Thomas. Action for damages for negligence causing an accident and injury to the plaintiff. The jury found that the placing and leaving of a pile driver hammer on the highway was the cause of the accident. The learned judge holds that damage was by reason of default of the corporation to keep the highway in repair, and therefore that the action not having been brought within three months after the damage had been sustained, the municipality cannot be compelled to pay the sum assessed by the jury. Judgment for the plaintiff against the defendant McGugan for \$600 and costs for the defendants the corporation dismissing the action with costs.

M'DOUGALL VS. VILLAGE OF FENELON FALLS

Judgment on appeal by the defendants from the judgment of the judge of the county court of the county of Victoria dismissing a motion by the defendants to set aside a verdict for the plaintiff in an action for damages for the illegal seizure of a buggy for taxes. Hugh McDougall was the person assessed for the taxes, and the buggy seized was the property of his wife, the plaintiff. The judge below held that the corporation had ratified the act of their collector in seizing the buggy for taxes. The court failed to distinguish this case from *McSorley vs. City of St. John*, a decision of the Canadian supreme court, and held that the defendants were responsible for the acts of their collector. Appeal dismissed with costs.

RE OLIVER AND CITY OF OTTAWA.

This was a motion for a summary order quashing two resolutions of the municipal council of the city of Ottawa receiving and adopting two reports of the committee of council on works authorizing the building of a bridge called Cumming's bridge, over the Rideau river, which is a bridge that is required by law to be maintained by the city and county jointly, on the grounds that the resolutions are illegal and *ultra vires*, and that the work could not be authorized without a by-law. On behalf of the city of Ottawa, it was objected that the recognizance to prosecute with effect put in by the applicant is not a recognizance at all, not being made to the crown, but to the city corporation, and that the jurisdiction of the court has therefore no proper foundation. This objection was overruled and the argument proceeded on the merits. It was contended on behalf of the applicants, *inter alia*, that there was no power to authorize the construction of a joint work without bringing into operation the machinery provided by the act, and that

there was no power to appropriate to this question, money which had been previously otherwise appropriated. Rose J. held that the resolutions were illegal as for an expenditure without the means of meeting it. Order made quashing resolutions with costs.

BRYCE VS. LOUTITT AND THE TOWNSHIPS OF CULROSS AND TURNBERRY.

Judgment on appeal by the defendants from the report of Jones, Co. J. of Huron, and on motion by the plaintiff for judgment on the report. The action was brought against the defendant Loutitt for damages arising from the action of the defendant in removing certain stones which had been placed by way of a gangway leading from the southern boundary of his lot to the mouth of a culvert made by the townships of Culross and Turnberry. The plaintiff is the owner of lot 18 in the 12th concession of Turnberry, and the defendant Loutitt is the owner of lot 18 in the 1st concession of Culross. The road in question, across which the culvert is constructed, is the town line between the townships. The referee found damages against all the defendants. The learned chief justice is of opinion that the injury of which the plaintiff complains is occasioned not from any defect in the culvert, but by reason of the water which had accumulated on the defendant Loutitt's property rushing through the culvert at a greater rate than would have been the case had the approaches to the culvert been properly made. He is further of opinion that the injury complained of arose as much from the negligence of the plaintiff as from the action of the defendant. Appeal of the defendants allowed, and action dismissed, with costs to the defendants the townships, and without costs to the defendant Loutitt.

RE CHARLAND AND TOWN OF WINDSOR.

Judgment on motion by the corporation of the town of Windsor to set aside the award made between one John Charland and the applicants by John C. Iler and Alanson Elliott, two of the arbitrators, with respect to the compensation to be paid to Charland for damages sustained by him by reason of his interest in certain land being injuriously affected by lowering of the grade on Chatham street in the town of Windsor. The arbitrators awarded \$400. The learned judge finds evidence upon which to sustain the award of \$400, as the mere cost of putting the property in as good condition as it was in before the work was done, and therefore he cannot assume that the arbitrators made any allowance for loss of business profits. He also finds that it does not appear that any allowance was made to the city by the arbitrators for the advantage which the claimant derived from the work, but on the other hand that there was evidence that the benefit would be about equal to the additional taxation. He does not see his way to interfering with the amount of

the award, but he holds that the city corporation are entitled to be protected against the alleged state of Charland's title. Appeal dismissed but corporation to pay the \$400 into court, in pursuance of 53 Vic., chap. 50, sec. 17. No costs.

WILLIAMS VS. TOWNSHIP OF RALEIGH.

This is a case which was recently decided by the supreme court of Canada. Certain lands in the township of Raleigh were drained by what were called the Raleigh plains drain and government drain No. 1. The ratepayers petitioned for further drainage under the Municipal Act, (R. S. O., 1887, chap. 184), and a surveyor was directed under sec. 569 of the act, to examine locality, make plans and report as to how the the drainage could be effected. In pursuance of his report the municipality caused a number of drains to be constructed leading into the Raleigh drain and government drain No. 1, with the result that the additional volume of water proved too great for the capacity of the latter which overflowed and flooded the adjoining lands of C., who brought an action for the damage thereby. The matter was referred to a county court judge, who reported the facts in favor of C., and against the contention of the municipality, and estimated the damage at \$850. The divisional court affirmed this finding and also ordered the issuing of a mandamus, under sec. 583 of the act. The court of appeal reversed this decision, holding that the only remedy for damage to C's land was by arbitration, under the statute, and that he was not entitled to a mandamus. The supreme court reversed the judgment of the court of appeal, and held that the right infringed by the municipality being a common law right and not one created by statute. C. was not deprived of his right of action by sec. 483 of the act, which provides for determination by arbitration of a claim for compensation for lands injuriously affected by the exercise of municipal powers. It was further held that the municipal council had a discretion to exercise in regard to the adoption, rejection or modification of the report of a surveyor appointed under sec. 569 to examine the locality and make plans, etc., and, if the report is adopted, the council is liable for the consequences following from any defect therein. It was also held that the council by the manner in which the drainage work was executed was guilty of a breach of the duty imposed on it by sec. 583 of the act to preserve, maintain and keep in repair such work after its construction. The work having been constructed under sec. 573 of the Act, C was not entitled to a mandamus under that section to compel the municipality to make the necessary repairs, to preserve and maintain the same, the notice required by that section not having been given. If the work had been done under sec. 586 notice would not have been necessary. It was also held that though sec. 583 makes

notice a necessary preliminary to the liability of the municipality to pecuniary damage suffered by a person whose land is injuriously affected by neglect or refusal to repair, the want of such notice did not divest C. of his right of action, nor affect the damage awarded to him.

The Drainage Law.

A very strange state of affairs in drainage matters is likely to result from the decision of the supreme court in the case of Williams vs. Raleigh. *The court held that the drainage clauses of the Municipal Act are permissive only, not imperative; that in order to enable the defendants to escape liability for the damage caused by the flooding, it was incumbent upon them to show, first, that the doing of the work in question was ordered by the legislature, that is, that it was imperative upon them to build the drains, and, second, that the same could not have been built without causing the damage complained of.* It would appear that the first ground stated in the judgment aims at the very root of the drainage provisions of the Municipal Act, and if an order of the local legislature has to be obtained for every drain that is constructed, the drains that have been constructed up to the present time are all improperly and illegally made. This seems to be a very extreme view to take of the power conveyed by the word "may" in section 569, which no doubt, was intended to, and in the judgment of the judges, except those of the supreme court, did confer upon township councils the power of constructing a drain, as soon as they came to the conclusion that a majority of the persons benefitted had petitioned therefor. This judgment may be appealed to the privy council, but, in any event, the legislature will be called upon next session to pass remedial legislation, legalizing all drains heretofore constructed and distinctly conferring power upon the municipal councils to act without the direct interposition of the legislature in every particular case. The drainage commission have pretty well concluded their labors, with the exception of Essex county, their report will contain all necessary legislation drafted ready for submission to the house at its session next winter.—*Amherstburg Echo.*

Judge Rose is keeping up his reputation for expressing his opinion of the court houses and gaols of Ontario. Last week, at Sarnia, the judge complained of the inadequacy and unsuitability of the courtroom, and hoped that before long, action would be taken to remedy the unsatisfactory condition of the place.

It is observed by *The Baltimore American* that "there is not much real happiness in holding an office, but there is a heap of satisfaction."

QUESTION DRAWER.

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

I wish to ask a question regarding a matter that has been recommended by our auditors for several years in their report, part of which reads thus: "We cannot insist too strongly on the necessity of proper books of account being opened and kept." This may refer more to the treasurer than to the clerk. Then again they say in their report, "we find no ledger or other entries of these in any book kept by the clerk." No doubt the meaning the general taxes and other taxes. The question asked is this: In accordance with the statutes, does the clerk require to keep a ledger or any other book of accounts? If so, how should it be headed?

We are not aware that, under any of the provisions of the Municipal Act the clerk is required to keep a ledger or other book of accounts. In townships the act respecting tile, stone and timber drainage debentures requires the clerk to keep a book in which should be entered report of inspector appointed under that act, as well as particulars relating to debentures issued. The Ditches and Watercourses Act also requires the clerk to keep a book, and in this should be entered the dates in which the requisitions awards, etc. were filed, together with a memorandum showing how, and when parties were notified under the act, and also memorandum shewing the amount of costs to be paid by each according to the awards. Debenture registers should be kept in every municipality and it is the duty of the treasurer to keep the same. The clerk should keep a minute book not only of the council proceedings, but of proceedings in committee. These should contain in a resolution or report of committee of the council, information concerning all accounts which the council has been called upon to pay during the year. There is sometimes a difference of opinion as to whom should have possession of the accounts presented to the council. We believe the proper plan is to attach the order on the treasurer for payment, to each account when passed. These should remain in the treasurer's office as his voucher until audited, when they should be deposited with the clerk. In many municipalities the accounts are copied in a book kept specially for that purpose. This is convenient for the purpose of information when required by the council or committees. The auditors making the report referred to, would, no doubt, if requested, explain the meaning of their report.

REEVE.—1. Has a collector authority to distraint for dog tax?

2. Does it make any difference whether the present owner or occupant of the land is the owner of the dog assessed or not?

3. Can dog taxes be returned to the treasurer with the other taxes as against lands on which the collector reports there is no property to distraint?

1. We think not. If a party has been assessed for a dog and the collector has failed to collect the tax, he should take the proceedings provided by sec. 6 of chap. 214, R. S. O., 1887.

2. The owner of the dog is the person against whom the proceedings should be taken.

3. We think not.

COLLECTOR.—1. If, on the property of a non-resident whose name appears on the assessment roll and who did not give notice requiring his name to be so entered, there are goods and chattles sufficient for amount of taxes, can the collector take any proceedings to levy taxes by distress and sale if payment is not made by the owner?

2. How is the collector to know the non-residents who gave notice and those who did not?

1. A careful perusal of secs. 125 and 126 of the Consolidated Assessment Act, 1892, leads us to conclude that the collector can take proceedings to levy taxes by distress and sale of the goods and chattles on non-resident lands, when such taxes have not been paid by the non-resident owner (although his name appears on the assessment roll) only in the case of non-residents "who have required their names to be entered on the roll, and it would seem that the collector would be justified and empowered to include such lands in his "no property" returns, since there are no goods on the premises on which he has statutory authority to make a levy in case of non-payment of the taxes. There is considerable inconsistency and uncertainty to the point raised by our correspondent in the sections cited. The removal of which seems to demand the attention of our legislators.

2. By application to the clerk of the municipality to whom non-residents must give such notice on or before the 20th day of April in each year, or to the assessor, to whom the clerk is required to deliver a list of persons who have given notice on or before the 25th day of April in each year. See sec. 3, Consolidated Municipal Act, 1892.

CLERK.—The council have decided to offer a reward for each dog found killing sheep in the township. Is there any statutory authority for this? Would such a by-law be legal? Also, is there any statutory authority for the appointment of valuers in the township to decide value of sheep killed by dogs, or to provide for paying them for each valuation out of the dog tax fund?

Municipal corporations can exercise the power to grant rewards only when expressly authorized by the legislature so to do. There seems to be no statutory authority for the passing of the by-law mentioned by our correspondent, and we would, therefore, consider it illegal. There is no authority for appointment of valuers to fix the value of sheep killed by dogs, or to pay them for services rendered in this connection. Any member of the council may examine, under oath, parties making claims for compensation, as provided in section 18, of chap. 214, R. S. O., 1887.

REEVE.—1. The council proposes to pass a by-law under the provisions of section 94, Consolidated Assessment Act, 1892, abolishing statute labor, and providing for the payment of commutation tax. Have they authority to pass a by-law instructing the pathmasters or other officers that may be appointed to collect seventy-five cents from every male inhabitant who is liable to one day's statute labor under section 91 of the said act?

2. It is proposed to submit the by-law providing for the payment of commutation tax, to the electors at the same time as the next municipal election. Can this be done without affecting the legality of the municipal elections for council?

1. We see no reason why the council cannot legally pass a by-law authorizing the pathmasters or other officers that may be appointed to collect the sums mentioned by our correspondent. See Municipal Act, sec. 521.

2. Yes. But the voting on the by-law must be done on separate ballot papers.

RATEPAYER.—Has the engineer of a municipality any right to include, in his award, costs or expenses made by the owner or owners requesting a ditch to be made, before the requisition is filed in the clerk's office, under the Ditches and Watercourses Act?

No. We would suggest in this connection that it would be well for municipal councils to pass by-laws allowing the clerk a fee of, say fifty cents for each name of an owner interested, named in his award, for the services performed by him in connection with the making of the award and that the engineer include such fees in his award when made as part of the fees for making the same.

SUBSCRIBER.—A by-law was passed last year by council of township, to open up, and establish original road allowance in concession ten and to close up, sell and convey to A. B., original allowance on con. 11. The county council would not confirm the by-law and allow the road allowance in con. 11 to be closed up and conveyed, etc. The by-law was perfectly legal and every step taken to make it so. The question I wish you to answer is this: Is the by-law good for the opening of the road in 10th con., or will the council have to go to the expense and formalities of passing another by-law to open it. It was surveyed last week, the party that last year petitioned to have it opened is now opposing it and may give trouble. Will you kindly advise what is necessary to be done by the council.

Section 546 of the Consolidated Municipal Act, 1892, enacts that "no council shall pass a by-law for stopping up, altering, widening, diverting or selling any original allowance for road, or for establishing, opening, stopping up, altering, widening, diverting or selling any other public highway, road, street or line," unless the preliminary proceedings, mentioned in sub-sections 1, 2 and 3, of the said section, have been taken. We would call our correspondent's attention to the fact that the legislature does not make the taking of such proceedings necessary before passing a by-law for establishing or opening an original road allowance, nor is the assent of the county council to such by-law required. In the latter case, all that seems to be requisite is the passing of the council of a by-law for the opening of the road allowance (without the preliminaries referred to) and in pursuance thereof to cause the removal of fences and the obstruction thereon, if any. If the case comes within the provisions of section 552 of the said act the formalities set forth in section 553 of the same, we think it advisable that the council repeal or abandon the old by-law and pass a new one, as above mentioned.

CORRESPONDENCE.

This paper is not responsible for opinions expressed by correspondents.

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

Clerks' Salaries.

To the Editor of THE MUNICIPAL WORLD:

DEAR SIR,—“Another Clerk” seems to think of no one but those who officiate in the capacity of clerk and are not paid enough. He does not admit that there are some in all public offices whose salaries are too small. The word “all” which occurred in my last letter, did not mean every office, which a fair thinking man could see at a glance. I think it would be very presumptuous on the part of the legislature to fix the clerk's remuneration. Members of municipal councils should be, and undoubtedly are well posted in the greater part of clerk's duties. I have not admitted that the legislature should fix all of the clerk's duties, as this would be impossible. As C. E. says, “Clerks duties are various” I say again that despotism and British fair play are in order. That there are too many Reeves is a fact. They are at present nothing more or less than working machines for the legislature, and whilst we are in the programme, I might also say the same to noisy and grumbling clerks. Yours, etc.,

REEVE.

To the Editor of THE MUNICIPAL WORLD:

DEAR SIR,—I notice in your October number C. E. thinks C. P. is not a clerk on account of the latter saying twenty-five cents per head for every name ought to be enough, of course I meant the perquisites as well, such as registering births, marriages and deaths, selecting jurors, voters' lists, etc., now at twenty-five cents per head, according to the assessment roll in my possession, my salary would increase \$42.

I am free to admit I am only an apology for a clerk, but \$42 would be quite a help.

I think we should organize at once before the next Ontario legislature meets, and see if we cannot receive some remuneration for the services we render the bureau of industries alone, which causes quite a deal of work.

C. E. agrees with Reeve, that the legislature have no jurisdiction over clerks' salaries.

Now, I think they have a perfect right to make compensation for the extra work they put upon us, for the council will only tell you that you are very good natured to do so much work for nothing.

Yours truly, C. P.

To the Editor of THE MUNICIPAL WORLD:

SIR,—I have read with interest the various letters published in your valuable paper respecting clerks' salaries. I admit that very few members of councils are aware of the amount of work required of clerks, that is, outside of council meetings. That is one reason, probably, why they do not receive more remuneration for their work. It frequently occurs, and particularly in case the council is composed of almost entirely new members, that an experienced clerk is a valuable acquisition to the board in performing his own duties correctly, and also advising the council, so far as municipal law is concerned. I have been clerk for several years, and receive a salary of about fifteen cents per name for each and every name on the roll, and just as soon as I find I cannot make it pay at that rate I will very quickly throw it up and allow some other person to have the position. I have no desire for legislation in this matter, as I consider it to be no less than tyranny to compel any body of men or individuals to pay any certain wage for any certain amount of work, when they could get it done more cheaply. Clerks' salaries are, and must be regulated in a similar manner as the price of our wheat or other produce is regulated, *i. e.*, according to supply and demand. Why is it that wheat is worth only sixty-six cents per bushel? Simply because there is an over supply. We all admit it is too cheap

and does not pay the expense of production, yet such is the price, and we cannot help it; we must take the price that is paid for it. So it is with clerks' salaries, and just as soon as a clerk is dissatisfied with his salary and gives up the position (in fact, frequently before he gives it up) there are a dozen applications or more for the position, yet I think but few council boards would discharge an efficient clerk for the sake of a rise in salary, and run the risk of engaging an untried man, who might prove incompetent for the work. C. P., in the September number, says twenty-five cents per head for every name ought to be enough. C. E., in October, says that C. P. surely is not clerk, or he would not go in for starvation prices. In the case of C. P. it would seem as though twenty-five cents per head would increase his salary, while in the case of C. E., his salary would be reduced, or at least not increased, so that according to these two men's statements the number of names on the roll would not form a proper basis for salary. “Deputy Reeve,” in October number, says that some clerks make exorbitant charges for extras. I do not know what he has reference to by “extras.” If he refers to selecting jurors, returning officer, or registration of births, etc., the council regulates the fees for the two former and statutes the latter. If he refers to work required by different individuals outside of council work, I would say, and I speak from experience, that I find more trouble and inconvenience in doing such work than all the council work, as they seem to think that the clerk should devote his time in doing their writing (of course, there are exceptions) simply for nothing, and, as a rule, if he charges one-half the amount he should charge, it is considered exorbitant. I might say, in conclusion, that I have been clerk for eight years and if I were to hold the position for eight more I do not want any legislation, so far as salary is concerned, any more than I want legislation, providing how much I must pay my farm hands. Thank-you, Mr. Editor, for your valuable space, I remain, yours truly,

CLERK.

Dated 14th October, 1892.

To the Editor of THE MUNICIPAL WORLD:

There appears to be a good deal in your excellent paper of late issues about clerk's salaries, and it is no secret that the salaries are shamefully low in nine cases out of ten, probably ninety-nine out of a hundred. In your last issue “Deputy Reeve” seems to get greatly excited over a matter which he evidently, does not understand. He seems to think that the council lays out the work to be done by the clerk, and therefore, the council should say what the salary should be. The fact is, nearly all the work to be done by the clerk, is laid out by the local legislature, and if “Deputy Reeve's” contention is all right then the local legislature should fix the clerk's salary. If “Deputy Reeve” knows anything about his business, he must know that he or the council have but very little to say as to what the clerk's duties shall be. He must also know that he himself is only a creature of the local legislature and only jumps when and how they direct him to jump, and even the council of which no doubt he is a shining light, and of great importance, in his own estimation at least, can do nothing except as authorized by the legislature. A little petty authority or position given to some men make them think themselves of so much importance to mankind that even the whole world would collapse, if their mighty highness should not be present to direct affairs.

“Deputy Reeve” also thinks it is an outrage upon the intelligence of such fair-minded men, as no doubt, he considers himself to be, that the legislature should presume to forbid the council to put up its offices to be tendered for. I would advise Mr. Mowat hereafter to consult this wise deputy reeve on all municipal matters, and not to presume to do anything without first getting his advice and permission. I also advise Mr. Mowat not to encourage this deputy reeve to seek a seat in legislature, otherwise he might lose his own position as premier, and this deputy reeve, of such transcendent ability should oust him and secure the

throne to himself. Were I to form an opinion from the writings of “Deputy Reeve,” I should suppose him to be one who liked to lord it over any one who was the least beholding to him, either privately or publicly. Men of this stamp are unfortunately found sometimes in petty positions where their self importance and overbearing propensities come easily to the surface. The position of any municipal clerk or other municipal employee under such a man, no doubt is a very pleasant one.

It is no great wonder that municipal clerks are held in such low estimation as is generally the case, because they submit to be snubbed on every hand by any member of the council who sees fit to order them around, and one reason for this tame submission on the part of clerks may be found in the fact that they are liable to dismissal without cause, by any council who may think proper to do so. He need have no charge made against him, he is not permitted in law to meet his accusers face to face, as British fair play demands, and which is accorded to the greatest criminal in the land, but may be dismissed in the dark and never know the cause of his dismissal. If there is any justice in this will some one kindly point out where it comes in.

Now, if clerks or other municipal officers wish to retain any independence or manhood, they should take steps at once to form county associations and a provincial association, and secure a good paper, such as THE WORLD is, in which to discuss all municipal matters relating to themselves and the duties to be performed by them, and to meet frequently for the discussion of all these matters. I would also recommend that they seek incorporation similar to that of the provincial surveyors. If this is done it will not be long before they will be respected by the community in which they labor, but any man or class of men who are willing to submit to unfair treatment may expect to get plenty of it, and serve them right too; respect yourself and then others will respect you.

I do not intend to discuss the basis upon which the salaries of clerks or other municipal officers should be considered, but risking the ire of “Deputy Reeve,” I express it as my opinion that the legislature should fix a basis for that very thing, below which no council should have power to go.

My proposal now is to establish county associations and a provincial association at once, and would like to see immediate action taken for this purpose. The time to act has come, who will start the ball in motion? Yours,

FAIR PLAY.

(Continued from page 140.)

ties to be voted on. Or, by extending the provisions of section 97, sub-sec. A. and B., of the Municipal Act to counties divided into districts, the election should be held at the same time as elections for local councils. The districts should have three representatives elected for each, for a term of three years, to retire in rotation same as school trustees. This would place the local and county councils in somewhat the same position to each other as county councils and the legislative assembly are now. The benefits that would accrue to counties by having the members of district councils elected for three years can only be estimated by those who are in a position to point out the many important matters that new and inexperienced members overlook. So much can be said in favor of this system that we recommend it to those desirous of promoting a reform as the best and only equitable plan of reducing the number of members of county councils.

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MANUFACTURERS OF

Iron and

Steel Bridges



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

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

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

Address Inquiries in Response to this Advertisement, to

DOMINION BRIDGE COMPANY, LTD., Montreal, Que.

Municipal Debentures Wanted.

I am desirous of purchasing any and all

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

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

GEO. A. STIMSON.

9 Toronto Street, Toronto.