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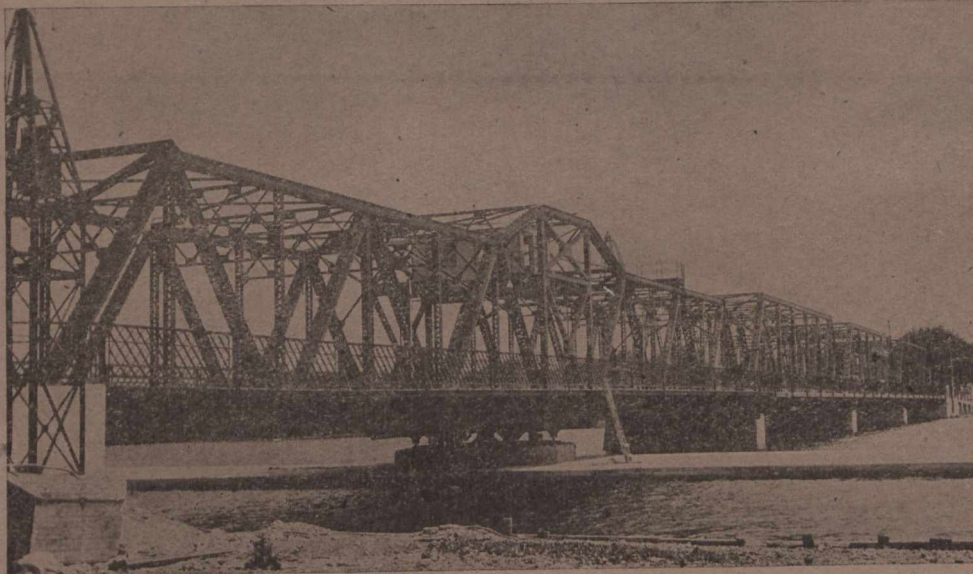
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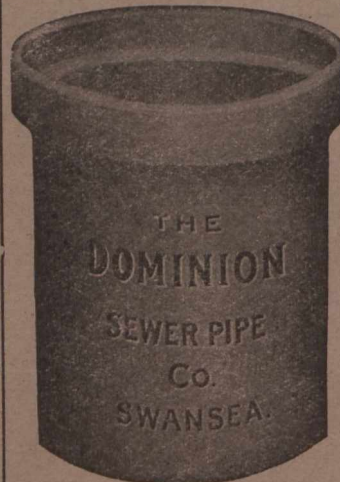
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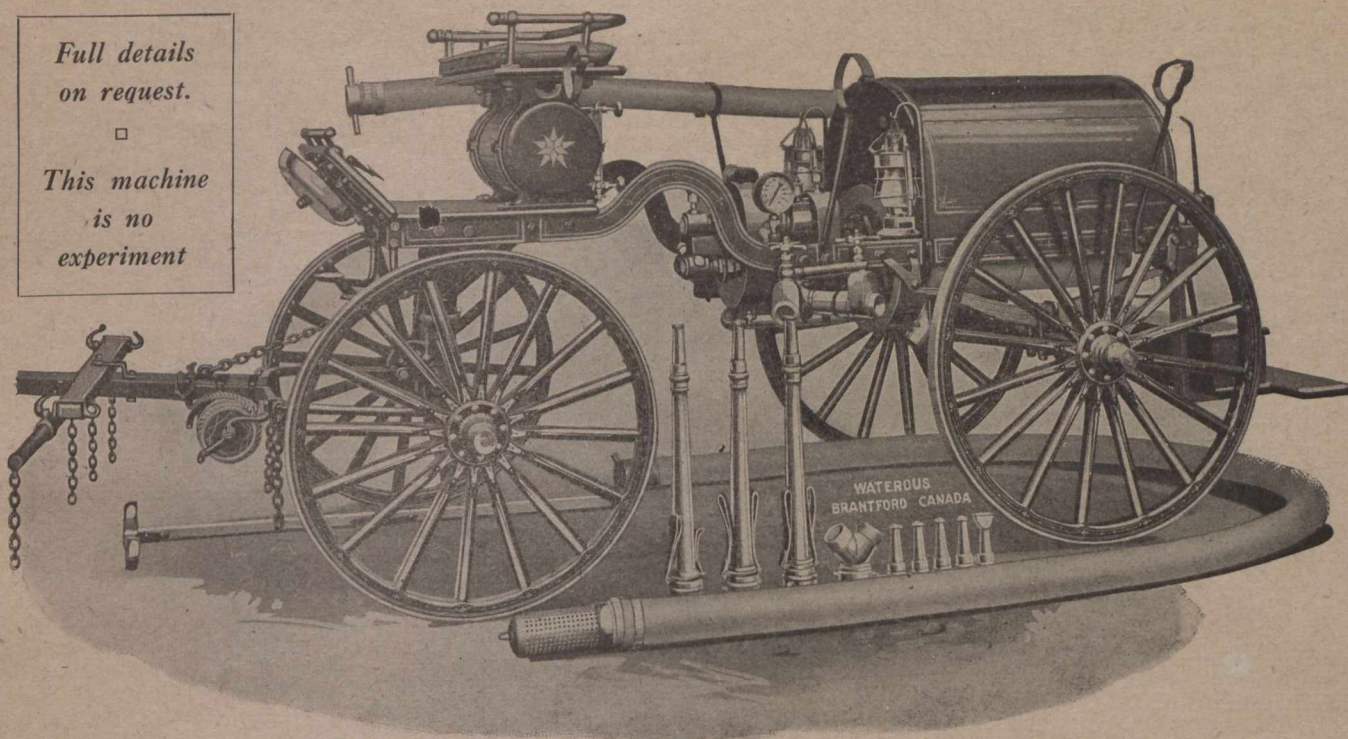
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CLASSIFIED INDEX OF ADVERTISEMENTS

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BANKS Imperial Bank of Canadaxiii	DUST PREVENTATIVE The Paterson Mfg. Co., Ltd., Toronto ..iii The Carritte-Paterson Mfg. Co., Ltd., St. Johns, N. B.iii	LAW PUBLISHERS Dominion Law Book Co., Toronto.....vi
BELLS Northern Electric Co., Ltd., Montreal.....xi	DYNAMOS Northern Electric Co., Ltd., Montreal.....xi	LOCKERS Canada Wire & Iron Goods Co., Hamilton, Ont.vii
BOILERS Hunter Bridge and Boiler Co., Ltd., Kincardine, Ont.xv Sawyer-Massey, Ltd., Hamilton, Ont.....xv Waterous Engine Works Co., Ltd., Brantford, Ont.xv	ELECTRICAL SUPPLIES Canadian Independent Telephone Co., Ltd., Toronto, Ont.xiv Northern Electric Co., Ltd., Montreal.....xi	METERS Canadian Meter Co., Ltd., Hamilton.....x
BRIDGES Hamilton Bridge Works Co., Ltd., Hamilton, Ont.xvi A. Hill & Co., Mitchell, Ont.xii Hunter Bridge and Boiler Co., Ltd., Kincardine, Ont.xv Ontario Bridge Co., Toronto, Ont.....ii Petrolea Bridge Co., Ltd., Petrolea, Ont...x Sarnia Bridge Co., Ltd., Sarnia, Ont.....xii Trussed Concrete Steel Co. of Canada, Ltd., Walkerville, Ont.xi	ELEVATORS Darling Bros, Ltd., Montreal, Que.....vi Waterous Engine Works Co. Ltd., Brantford, Ont.v	MOTORS Northern Electric Co., Ltd., Montreal.....xi
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CRUSHED STONE The Hagersville Contracting Co., Ltd., Hagersville, Ont.ix	GAS ENGINES Sawyer-Massey, Ltd., Hamilton, Ont.....xv	PIPE (GAS AND WATER) National Iron Works, Ltd., Toronto, Ont...x
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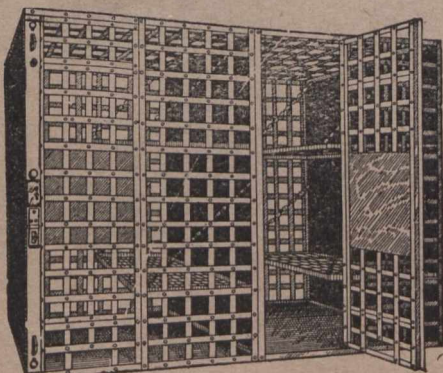
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CLASSIFIED INDEX OF ADVERTISEMENTS, Continued

<p>PLOUGHS Sawyer-Massey, Ltd., Hamilton, Ont.....xv</p> <p>PUMPS Darling Bros. Ltd., Montreal, Que.....vi Waterous Engine Works Co. Ltd., Brantford, Ont.v</p> <p>REINFORCED CONCRETE Canada Wire & Iron Goods Co., Hamilton, Ont.vii Trussed Concrete Steel Co. of Canada, Ltd., Walkerville, Ont.xi</p> <p>ROAD MACHINERY Climax Good Roads Machinery Co., Ltd., Hamilton, Ont.viii Sawyer-Massey, Ltd., Hamilton, Ont.....xv Waterous Engine Works Co., Ltd., Brantford, Ont.v</p> <p>ROAD PRESERVATIVE The Carritte-Paterson Mfg. Co., Ltd., Montreal, Que.iii The Paterson Mfg. Co., Ltd., Toronto.....iii Trussed Concrete Steel Co. of Canada, Ltd., Walkerville, Ont.xi</p> <p>ROCK DRILLS Sawyer-Massey, Ltd., Hamilton, Ont.....xv</p> <p>SAFES Climax Good Roads Machinery Co., Ltd., Hamilton, Ont.viii J. & J. Taylor, Toronto, Ont.viii</p>	<p>SAW MILL MACHINERY Sawyer-Massey, Ltd., Hamilton, Ont.....xv Waterous Engine Works Co. Ltd., Brantford, Ont.v</p> <p>SCHOOL FURNITURE Canadian Office and School Furniture Co., Preston, Ont.x</p> <p>SCREENS Canada Wire & Iron Goods Co., Hamilton, Ont.vii Waterous Engine Works Co. Ltd., Brantford, Ont.v</p> <p>SEWER PIPE Dominion Sewer Pipe Co., Swansea, Ont...ii</p> <p>SPRINKLERS Sawyer-Massey, Ltd., Hamilton, Ont.....xv</p> <p>STANDPIPES Hunter Bridge and Boiler Co., Ltd., Kincardine, Ont.xv</p> <p>STEAM APPLIANCES Darling Bros., Ltd., Montrealvi Waterous Engine Works Co. Ltd., Brantford, Ont.v</p> <p>STRUCTURAL STEEL Hamilton Bridge Works Co., Ltd., Hamilton, Ont.xvi A. Hill & Co., Mitchell, Ont.xii Hunter Bridge and Boiler Co., Ltd., Kincardine, Ont.xv Ontario Bridge Co., Toronto, Ont.....fi Petrolea Bridge Co., Ltd., Petrolea, Ont...x Sarnia Bridge Co., Ltd., Sarnia, Ont.....xii</p>	<p>STONE AND ROCK CRUSHERS Climax Good Roads Machinery Co., Ltd., Hamilton, Ont.viii Sawyer-Massey, Ltd., Hamilton, Ont.....xv Waterous Engine Works Co., Ltd., Brantford, Ont.v</p> <p>TANKS (STEEL OR WOOD) Hunter Bridge and Boiler Co., Limited, Kincardine, Ont.xv Waterous Engine Works Co. Ltd., Brantford, Ont.v</p> <p>TELEPHONES Canadian Independent Telephone Co., Toronto, Ont.xiv</p> <p>TELEPHONE SUPPLIES Canadian Independent Telephone Co., Toronto, Ont.xiv Northern Electric Co., Ltd., Montreal....xi</p> <p>TILE MOULDS AND MACHINES Climax Good Roads Machinery Co., Ltd., Hamilton, Ont.viii London Concrete Machinery Co., Ltd., London, Ont.ii Sawyer-Massey, Ltd., Hamilton, Ont.....xv</p> <p>WATERWORKS SUPPLIES Hunter Bridge and Boiler Co., Limited, Kincardine, Ont.xv National Iron Works, Ltd., Toronto, Ont..x Waterous Engine Works Co. Ltd., Brantford, Ont.v</p> <p>WIRE PRODUCTS Canada Wire & Iron Goods Co., Hamilton, Ont.vii Northern Electric Co., Ltd., Montreal....xi</p>
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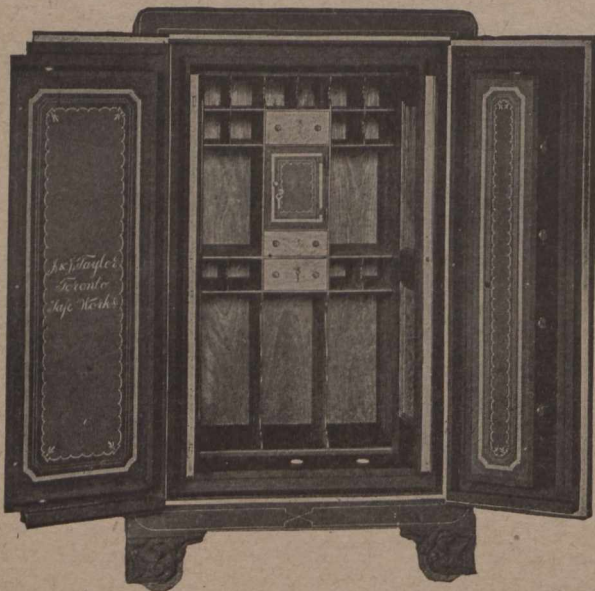
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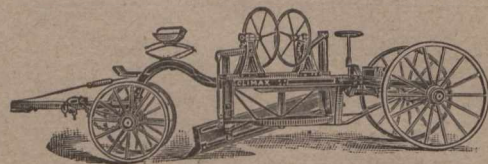
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PUBLISHED MONTHLY IN THE INTERESTS OF EVERY DEPARTMENT OF THE MUNICIPAL INSTITUTIONS OF ONTARIO AND GOOD ROADS

VOLUME XXVI.

ST. THOMAS, ONTARIO, DECEMBER, 1916

WHOLE NUMBER CCCXII

Editorial	216
The High Cost of Living Order-in-Council Approved by His Excellency the Governor-General of Canada	217
Good Roads and Electric Radials.....	218
Plebescite on Municipal Commission.....	218
Cities ask for Fines Collected in Courts	218
Municipal Councils and Public Health	219
Public Utilities and Public Opinion.....	221
Town Planning and Good Roads.....	222
County Road Organization	223
Ontario Railway & Municipal Board.....	224

Question Drawer—

465 Alien may be collector	
466 Liability for payment of taxes.....	
467 Damages caused by drain—Arbitration proceedings.	
468 Limit of tile drainage loan.	
469 Liability for school taxes.	
470 Control of erection of shelter sheds in village.	
471 Paying for municipal work when no arrangement made.	
472 Tax on dogs.	
473 Liability for expense of hospital maintenance and burial.	
474 Drainage Act proceedings and withdrawal of petition.	
475 A question as to location of street....	
476 Ontario Temperance Act and tobacco licenses—Regulating butchers' pool table licenses.	
477 Maintenance boundary road.—Travel on bridges.—Pool tables in Police Village.	
478 When Dog and Sheep Act amended.	
479 Abolition of park commission.	
480 Voters on power franchise by-law....	
481 Local improvement tax on corner lots	
482 No liability caused by weeds and insects from adjoining farm.	
483 Security for poundage fees to be in writing.—Poundkeeper's declaration.	
484 Liability for business assessment....	
485 Licenses to sell cigarettes, etc.....	
486 Transient traders not entitled to refund.	
487 Sale for taxes of soldier's interest in free grant land.	
488 Collection of dog tax.	
489 When no exemption in seizure for arrears of taxes.	
490 No municipal collection Red Cross subscriptions—Road fences and snow fences on township boundary line in districts.	
491 No business assessment of taxes liable for tax 1916.	
492 Statute labor joint ownership crown land location—Arrears of taxes to be included in notice of sale—Regulation of slaughter houses.	
493 Damages to flock when sheep killed by dogs.	
494 Appoint school arbitrator by by-law—All resignations after nomination meeting to be in writing.	
495 Pathmasters Returns and entry of statute labor on collectors' rolls.....	
496 A drainage case.	
497 Electric power rates.	
498 Closing a sideroad in district.	

Calendar for December, 1916, and January, 1917

LEGAL, EDUCATIONAL, MUNICIPAL AND OTHER APPOINTMENTS

DECEMBER—

- 1 Chairman of board of health to report to the council on or before this date.—Public Health Act, Schedule B., section 3.
Last day for appointment of school auditors by public and separate school trustees.—P. S. Act, section 80 (1); S. S. Act, section 45 (b).
Legislative grant payable to trustees of rural public and separate schools in Districts, second instalment.—D. E. Act, section 6 (1).
Township clerk to furnish the school inspector information of average assessment, etc., of each school section.—P. S. Act, section 48 (4).
- 12 Last day for public and separate school trustees to fix places for nomination of trustees.—Public Schools Act, section 60 (b); Separate Schools Act, section 39 (5).
Returning officers to be named by resolution of the public school board (before second Wednesday in December).—Public Schools Act, section 60 (b).
- 14 Last day for payment of taxes by voters in local municipalities passing by-laws for that purpose.—Municipal Act, section 399 (9).
Last day for collectors to return their rolls and turn over proceeds, unless later time appointed by council.—Assessment Act, section 115.
Local assessment to be paid separate school trustees.—Separate Schools Act, section 70 (2).
- 15 County councils to pay treasurers of high schools.—High Schools Act, section 33 (1).
County grants to Agricultural Department payable.—High Schools Act, section 33 (2); Continuation Schools Act, section 8 (4).
Councils of towns, villages, and townships meet.—Municipal Act, section 237 (9).
Rolls to be finally revised by Judge when assessments taken between 1st July and 30th September.—Assessment Act, section 56 (1).
Pass accounts due "The Municipal World," and order election supplies, etc.
Municipal councils to pay municipal grants to H. S. boards.—H. S. Act, sec. 33 (1), 35 (1-4).
- 16 Last day for publishing notice of nomination.—Municipal Act, section 67.
- 22 **NOMINATION DAY**, Friday before Christmas.
High schools, first term, and public and separate schools close.—H. S. Act, sec. 52 (1); Public Schools Act, section 7 (1); Separate Schools Act, section 91 (1).
- 24 Last day for posting up annual statement of assets and liabilities in townships, towns, and villages.—Municipal Act, section 237 (11).
- 25 **Christmas Day**.
New schools and alteration of school boundaries go into operation or take effect.—Public Schools Act, section 15 (2); section 32 (7); section 21 (16); S. S. Act, section 7.
- 27 Last day for treasurer to send clerk list of all who have not paid their taxes.—Municipal Act, section 95 (1).
Annual public and separate school meetings.—Public Schools Act, section 53; section 60 (a); Separate Schools Act, section 27 (1); section 39 (1).
- 30 Road commissioners cease to hold office.—R. S. O. 1914, chapter 196, section 25.
High school treasurers to receive all moneys collected for permanent improvements.—High Schools Act, section 40.
Protestant separate school trustees to transmit to county inspector names and attendance during last preceding six months.—Separate Schools Act, section 14.
Truant officers' report to Minister of Education due.—Truancy Act, section 7 (9).
Auditors' reports of school accounts to be published by trustees.—Public Schools Act, sec. 72 (p).

JANUARY—

- 1 **New Year's Day. ELECTION DAY.**
By-laws for establishing and withdrawing of union municipalities for high school purposes take effect.—High Schools Act, section 6 (1), (2).
- 3 High schools open, second term.—High Schools Act, section 52 (1).
Public and Separate schools open.—Public Schools Act, section 7 (1); Separate Schools Act, section 91 (1).
Trustees' report on truancy due.
Polling day for trustees in public and separate schools.—Public Schools Act, section 60 (c); Separate Schools Act, section 39 (3).
First meeting of rural school trustees.—Public Schools Act, section 68 (1).
- 7 Treasurer and registrar of deeds, making payments to other municipalities, to send detailed statements to heads of same.—The Municipal Act, section 228; The Registry Act, section 105.
- 8 Councils of townships, villages, towns and cities to hold their first meeting at 11 o'clock a.m.—Municipal Act, section 193.
Members of library boards to be appointed by councils in cities, towns and villages.—Public Libraries Act, section 7.
Members of local boards of health to be appointed by councils.—Public Health Act, section 14.
- 10 Clerk of municipality to be notified by separate school supporters of their withdrawals.—Separate Schools Act, section 61 (1).
- 15 Names and addresses of public school trustees and teachers to be sent to township clerk and inspector.—Public Schools Act, section 78 (c).
Annual report of school board to Department due.
Annual return of separate schools to Department due.—Separate Schools Act, section 45 (g).
Trustees' annual report to inspectors due.—Public Schools Act, section 78 (e).
Minutes of R. C. S. S. trustees' annual meeting to Department due.
Clerk to make returns to Registrar-General of births, etc., for previous three months.—Chapter 49, R. S. O. 1914, section 11 (3).
Application for legislative appointment for inspection of public schools in cities and towns separated from county, to Department due.
Annual report of kindergarten attendance to Department due.
Last day for poundkeepers to file annual statement with clerk.
Last day for treasurer to make return as to sinking fund to Provincial Treasurer.—Municipal Act, section 307.
Trustees of police villages to hold their meeting at noon.—Municipal Act, section 506 (8).
- 17 First meeting of public school trustees in cities, towns, and incorporated villages.—Public Schools Act, section 67 (1).
Annual meeting of township agricultural societies, at 1 p.m., (between the 15th and 21st of January).—R. S. O. 1914, chapter 47, section 13 (1).
- 23 County council to hold first meeting, 2 p.m., at court house or county house.—Municipal Act, section 193 (1).
Appointment of high school trustees by county councils.—High Schools Act, section 14.
- 31 Last day for all councils to make returns to Bureau of Industries of the debts of their corporations.—Municipal Act, section 312.

The Municipal World

Published Monthly in the Interests of Every Department
of the Municipal Institutions of Ontario
and Good Roads

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ST. THOMAS, ONTARIO, DECEMBER 1st, 1916

The last Monday in December which is usually nomination day falls on Christmas day this year, and the nomination will be held on the preceding Friday, the 22nd December unless the council passed a by-law before the 15th November to hold them on the 23rd.

Notices of the nomination meeting should be given not later than the 16th of the month. The nomination meetings last for one hour, and after they are closed all resignations are required to be in writing attested by a witness, and filed with the clerk at any time before nine o'clock in the afternoon of the following day. In urban municipalities, failure to file a declaration of property qualification within the same time, operates as a resignation.

The councils of towns, villages and townships are required to meet annually on the 15th December and immediately thereafter publish a detailed statement of the receipts and expenditures of the corporation for the portion of the year ended on that day together with a statement of assets, liabilities and uncollected taxes and a similar statement respecting the last fifteen days of the next preceding year. The above does not apply to townships in a provisional judicial district or in the electoral district of North Renfrew, or in the provisional County of Haliburton.

The financial statements are required to be published or posted up in the Clerk and Treasurer's office in all post offices and at twelve other conspicuous places in the municipality. The preparation of the financial statement is a duty that devolves upon the Treasurers. In order to comply with the law and have it prepared promptly, the copy for all receipts and expenditures should be in the printers' hands not later than the 8th of the month to be set up previous to the 15th, after which it may be added to and completed promptly before nomination day.

J. H. Delamere, Police Magistrate and County Clerk of Haliburton, died at Minden on the 15th Nov. after a long illness. He came here from Toronto thirty-seven years ago and had held the position of County Clerk for that time.

PRESCOTT AND RUSSELL ENTER FOR GOOD ROADS

Mr. W. A. McLean, Deputy Minister of Highways has received a communication from the Clerk of the Counties of Prescott and Russell stating that a system of county roads comprising 208 miles had been adopted. Their present proposal is to spend \$40,000 a year on improvements in addition to expenditure for maintenance and repair.

SELECTING MUNICIPAL CANDIDATES

With the end of the year approaching ratepayers should be considering the composition of the City Council for 1917. It sometimes happens that men not well qualified offer themselves for election as councillors. It is also sometimes the case that men particularly adapted to fill the position of aldermen seek to excuse their responsibility to their own community. It is therefore necessary that the ratepayers themselves be sufficiently interested to use their influence in the selection of candidates. If a citizen having served for some time in the council displays ability, sincerity and good judgment in the discharge of his duties his constituents should make it their business to see that his services are retained for the city.—Galt Reporter.

Lawyers' fees come so high, as is evidenced by bill of costs presented to Gosfield North council at its last meeting by R. L. Bracken, solicitor for the township in the Canard River appeal case. Mr. Bracken's bill is made up as follows:—Bill of costs in appeal to Referee, \$569.98; bill of costs to Appellate Division, \$347.45; counsel fee on argument of appeal before Privy Council, June 15th to July 29th, 44½ days, \$1,112.50; railway and steamship ticket, \$356.50; expenses, hotel, meals, etc., and miscellaneous expenses, \$530; stamps on Referee's Report, \$8; fee at Sandwich all day on taxation of trial costs, \$30; paid expenses, \$3; making a total of \$2,967.43. Gosfield North council has already paid \$400 and \$347.45 to Mr. Bracken, and as the taxing officer taxed his bill in connection with the trials before the Referee and at Toronto at \$712.34, which sum was paid to Mr. Bracken, there is still a balance of \$1,507.64 claimed as due him. Lawsuits are expensive luxuries.—Echo.

THE CIVIC BUSINESS

Municipalities know that they are not getting the best possible service. They know that things are often done in a way that no successful business establishment would tolerate. They know most of all when they get their tax papers and realize that they are not getting value for the money they pay out. The real trouble is that, although the defects have been noted, and all sorts of changes have been suggested, that citizens generally are not ready to concede that the business of successfully administering the affairs of a city is in reality large enough to warrant a man making it his life work. We realize this in part of our civic business. We must have a trained man as head of the fire, police, assessing, engineering and accounting departments. Why should we not have men equally well trained to administer our financial and other departments? The "training," if such it can be called, that is received by a couple of years in council, is too superfluous and too shallow to permit of any two-year term aldermen being referred to as a trained civic official.—Guelph Mercury.

The High Cost of Living Order-in-Council Approved by His Excellency the Governor-General of Canada

His Excellency the Administrator in Council, with a view to prevent the undue enhancement of the cost of living, is pleased, under the power in that behalf conferred by sec. 6 of the War Measures Act, 1914, or otherwise vested in the Governor General in Council, to make the following regulations respecting the price, sale, control, storage, transport, etc., of the necessaries of life and the same are hereby made and enacted accordingly:

1. For the purposes of these regulations the expression "Council" means the governing body of a municipality.

"Necessary of life" means a staple and ordinary article of food (whether fresh, preserved, canned, or otherwise treated), clothing and fuel, including the products, materials and ingredients from or of which any thereof are in whole or in part manufactured, composed, derived or made.

"Municipality" means any county, district, township, parish, city, town, village or other area within a province which is governed municipally by a council or similar body.

"Person" includes natural persons and bodies corporate.

2. (1) No person shall conspire, combine, agree or arrange with any other person:

(a) To limit the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any necessary of life; or

(b) To restrain or injure trade or commerce in relation to any necessary of life; or

(c) To prevent, limit or lessen the manufacture or production of any necessary of life, or to enhance the price thereof; or

(d) To prevent or lessen competition in the production manufacture, purchase, barter, sale, transportation, insurance or supply of any necessary of life.

(2) Nothing in this section shall be construed to apply to combinations of workmen or employees for their own reasonable protection as such workmen or employees.

(3) Section 498 of the Criminal Code shall, as respects necessaries of life only, until the repeal of this section of these regulations, be deemed to have been repealed.

3. (1) No person shall accumulate or shall withhold from sale any necessary of life beyond an amount thereof reasonably required for the use or consumption of his household or for the ordinary purposes of his business;

(2) Every person who shall at any time hold any necessary of life beyond an amount thereof reasonably required as aforesaid, and every person who shall hold for the purpose of sale, whether as manufacturer, wholesaler, jobber, retailer or otherwise, any stock-in-trade of any necessary of life, shall offer for sale the said excess amount or the said stock-in-trade, as the case may be, at prices not higher than are reasonable and just.

Provided, however, that this section shall not apply or extend to any accumulating or withholding by any farmer, gardener or other person, of the products of any farm, garden or other land cultivated by him; nor shall any manufacturer wholesaler or jobber, because of anything herein contained, be under obligation to sell to other than such classes of persons as are accustomed to purchase from manufacturers, wholesalers or jobbers, respectively nor shall any person be under obligation to sell otherwise than in accordance with the ordinary course of business.

4. The Minister of Labor may, by notice in writing under his hand or that of his Deputy, require any person who operates, controls or manages any cold storage plant, packing house, cannery, factory, mine, warehouse or other premises in which or in any part of which any necessary of life is prepared, manufactured, produced or held by such person or for another, or who in any manner deals in any necessary of life, to make and render unto such Minister, within a time set in such notice, and such person shall make and render unto such Minister precisely as required by him, a written return under oath or affirmation showing in detail:

(a) The species and amount of any necessary of life held by such person at any indicated time or times, including any time preceding the making of these regulations, where and for whom said necessary is held, and, if held for another, upon what terms held;

(b) The time when any or all of such necessary of life was prepared, manufactured, produced, acquired, or taken into possession;

(c) The cost of such necessary of life, including all charges and expenses of an overhead or other nature, affecting such cost;

(d) The price at which such necessary of life, if already sold, has been sold, or if unsold, is held for sale;

(e) Such other information concerning any necessary of life as the Minister may require, including a full disclosure of all existing contracts or agreements which such person or his principal or agent may have at any time entered into, with any other person, or concerning the sale or resale prices of any necessary of life, or the period of time during which any necessary of life should be held as bailee or otherwise, before sale or resale, or limiting the quantity of any necessary of life which should be sold to any one buyer or combination of buyers or within any limited district.

5. Whenever the Council of any Municipality shall declare by way of resolution that in its opinion excessive prices are being demanded within the limits of such municipality for any necessary of life, such Council, may, by notice in writing under the hand of its Clerk or other authorized officer, require any person dealing within the municipality in such necessary of life, and locally situate therein, to make and render unto such Council, precisely as required by it, a written return under oath or affirmation, showing in detail:

(a) The amount of such necessary of life held by such person for sale or disposition within such municipality at any indicated time or times including any time preceding the making of these regulations;

(b) The time when any or all of such necessary of life was acquired, produced or brought within or into such municipality;

(c) The cost of such necessary of life, including all charges of an overhead or other nature affecting such cost;

(d) The price at which such necessary of life is held for sale or at which any sales of part of the same or of a similar necessary of life have been made by such person within such municipality at any indicated time or times, including any time preceding the making of these regulations;

(e) If, after the receipt of any such return, such Council shall consider that any circumstances justify reference of the return and a statement of the conditions to the Minister of Labor for further investigation at his hands, or if no return, or what the Council shall consider an untrue or misleading return, is made, such Council may, by way of resolution in writing expressing the facts and the Council's conclusion therefrom, report to such Minister.

6. (1) If after the receipt by the Minister of Labor of any return made to him or to any municipality in purported compliance with these regulations such Minister shall consider that any circumstances so justify, or if, after a return under these regulations has been required, none is made or none is made within the time set in the notice requiring such return or within such further time as the Minister of Labor may upon special application to him allow, the said Minister shall have power to investigate the business and to examine the premises, books, papers and records of the person making or failing to make such return, as the case may be, and, for those purposes such Minister may appoint an Examiner or Examiners and may authorize in writing any examiner so appointed to enter and examine the premises, books, records and papers of such person, and to take evidence under oath or affirmation of any person who such examiner may believe has knowledge relating to such matters as ought to have been included within a proper return according to the circumstances.

(2) Every person who is in possession or control of any such premises, books, records or papers, shall give and afford to such examiner admission and access thereto whenever and as often as demanded.

(3) No person shall in any manner impede or prevent or attempt to impede or prevent any such investigation or examination.

(4) Every person in any manner required by such examiner to give evidence under oath or affirmation touching or concerning the matters committed to such examiner for investigation shall attend before said examiner and give evidence whenever so required.

7. Whenever, in the opinion of the Minister of Labor, after an investigation and examination held in pursuance of the powers conferred by these regulations, an offence against any of these regulations is disclosed, said Minister shall remit to the Attorney General of any Province within which such offence shall have been committed, for such action as such Attorney General may be pleased to institute because of the conditions, appearing, certified copies of (a) any returns or resolutions of any municipality which may have been made, rendered or passed pursuant to these regulations and are in the possession of the Minister and relevant to such offence and of (b) the evidence taken on any such investigation or examination and the report of the examiner.

8. (1) No prosecution for a contravention or non-observance of any provision of these regulations shall be commenced without the written leave of the Attorney General for the province in which the offence is alleged to have been committed, expressing whether such prosecution shall be by way of indictment or under part XV of the Criminal Code.

(2) Such prosecution shall be commenced only in the county or municipality in which some or all of the necessary of life with respect to which the alleged offence was committed were situated at the time of the commission of the offence, or in the county in which the person charged resides or carries on business.

9. (1) Any person who contravenes or fails to observe any of the provisions of these regulations shall be guilty of an indictable offence and liable upon indictment or upon summary conviction under Part XV of the Criminal Code to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years, or to both fine and imprisonment as specified; and any director or officer of any company or corporation who assents to or acquiesces in the contravention or non-observance by such company or corporation of any of the provisions of these regulations shall be guilty personally and cumulatively with his company or corporation and with his co-directors or associate officers.

(2) For the purposes of the trial of any indictment for any offence against these regulations section 581 of the Criminal Code authorizing speedy trials without juries, shall apply.

GOOD ROADS AND ELECTRIC RADIALS

In the minds of many municipal councils of the townships and smaller towns of Ontario, the impression seems to be growing that the hydro-radial lines which it is proposed to spread over the province, are largely for the benefit of the cities which are really behind the whole scheme. The people of the rural municipalities particularly are pretty well convinced that good roads are much more of a necessity than electric railways. The Canadian Courier recently had a timely article on the relative value of radials and good roads. It is as follows:—

"Electric Radials and bad roads have an intimate relationship. A prosperous rural community with bad roads finds the electric radial a god-send. The same community with good roads does not need the radial. The radial cannot handle through traffic between cities as successfully as a steam railway. It cannot handle local traffic between each city and its tributary countryside as well as the farmer's wagon or automobile can handle it if the roads are good. Radial railways are notoriously afraid of good roads that parallel their lines. In the United States good roads are daily extending their influence while electric radials—which were once hailed as the saviours of country districts—are passing through receiverships. The field for the electric railway is the highly populated district or as a drummer-up of traffic for steam railways with which they are allied and which help pay the costs of the radial. Canadians should observe the experience of the Americans in this respect. Having paid dearly for their adaptation of electric railways, they are now concentrating on the good roads movement. Ontario especially is in danger of repeating the American mistake. If the government of any rural municipality, county or province has to spend money in improving transportation conditions, let it spend the money on good roads."

PLEBESCITE ON MUNICIPAL COMMISSION

Just now when municipal politics are beginning to loom up again the question of municipal management by commission is receiving attention in several of the large centres of the province. The fact that the statute makes no provision for this form of municipal management for general purposes does not affect the discussion and Guelph, Kitchener and other places are making it a live topic. A resolution went before the council of this town shortly after the election of last year in which the council expressed itself as being in favor of an election of a number of a much smaller representation that is at present provided by the statute. However, as no further action was taken and no representation made to the provincial government asking for the change the matter has evidently been allowed to drop. While a lot can be said in favor of a reduction of the membership of the council the fact that no provision is made in the municipal management machinery for this purpose makes it useless to ask the question why seventeen council men in a town of the size of Owen Sound were necessary. This year's council has been as diligent and careful as any in the history of the town. Despatch has been given to business and the town's interests have been well guarded. No adverse criticism can be taken because of their not doing things when the money at the disposal of the council has been limited to absolute necessities and from the viewpoint of usefulness every member might be sent back next year without jeopardizing in the least the town's interests. These are not years for initiatives, maintenance being the first consideration and it has been unfortunate that the energetic chairman of the largest spending department was incapacitated through illness. The idea of a reduction in the membership of the council to commission is well worth while keeping in view, even though the fact remains that no better institution exists for the development of public interests, than the municipal council and many of the prominent public men that the country has produced received their first training in the management of the affairs of some municipality. When the war is over and concise methods must be developed it may be well that commission government be authorized by statute as the most concise method of dealing with the large problems which must result from the years when standing pat while the war is in progress. In the meantime, it might be well at the next municipal election to take a plebescite of the voters on the question of commission government. The expense would be small and the government would have something definite to base an opinion upon in the event of considering the reduction in the size of municipal councils.

CITIES ASK FOR FINES COLLECTED IN COURTS

Mere Mite Compared with Cost of Administration says Attorney-General

The Ontario Government has been requested to allow municipalities to retain the fines collected from criminal prosecutions instead of paying them over to the Province. Among those in a recent deputation who spoke were Controller Nelson of Ottawa; Mayor Stevenson, London; Mayor Richardson, Kingston; Mayor Burgoyne, St. Catharines; City Solicitor Johnston, Toronto, and F. R. Waddell, City Solicitor of Hamilton. The Government promised consideration.

Premier Hearst thought the deputation was under a misapprehension, as the municipalities did not bear the whole cost of the administration of justice.

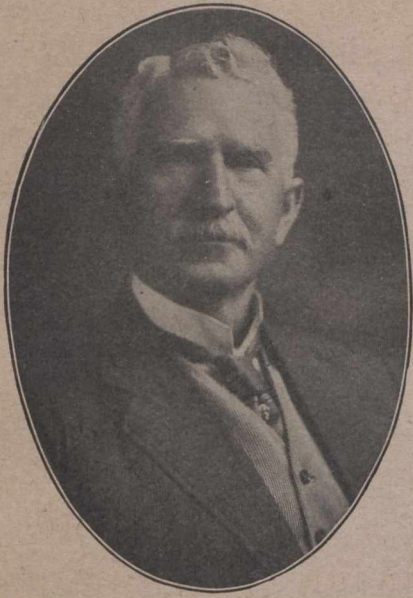
Hon. I. B. Lucas stated that the sum involved was insignificant as compared with what the Government paid out in money for the administration of justice in the Province. Fines brought in about \$25,000 a year, while the government expended over \$400,000 in administration of justice. The Provincial Treasurer had never returned money from these fines, except in special cases, such as Ottawa, which had an arrangement, possibly because it was a frontier town. The Government had never collected the money from some of the municipalities, but big cities and towns had been paying it, and now the order in council simply appointed the Crown Attorney to see that the money was turned in.

City Solicitor Johnston, Toronto, stated that Toronto paid an average of between \$600,000 and \$700,000 per year during the last seven years for administration, and \$18,000 in fines yearly had been paid to the Government from criminal prosecutions.

Municipal Councils and Public Health

By Dr. Chas. J. Hastings

At Annual Meeting Ontario Municipal Association



DR. CHAS. J. HASTINGS
Toronto Medical Officer of Health

Mr. Chairman and Members of the Ontario Municipal Association,—

I am asked to speak to you on the subject of Public Health and its significance to municipalities and while the history and evolution of preventive medicine is in a sense interesting, yet the development has been so slow and the consequent sacrifices of human life so great, it becomes somewhat tragic.

Nearly 500 years B. C., medical officers of health were appointed in Rome, yet it was not until 1847 that the first health officer was appointed

in Great Britain. The Romans were, no doubt, stimulated by the excellent hygienic code handed out by Moses approximately 1700 years B. C. These excellent principles were rigidly carried out by the Hebrews and to these, especially to that dealing with personal cleanliness, which made the eating of bread with unwashed hands an extreme violation which in itself defiled the man or woman who did so, I say no doubt it was the rigid carrying out of these regulations that was responsible for the fact that in a large measure the Hebrews escaped the awful devastations of the plague a few hundred years B. C., and down to comparatively recent date, which from time to time visited the greater part of Europe, Asia and the northern part of Africa. So marked was this freedom from these plagues by the Hebrews that they were suspected by the Christians of having poisoned the wells, in consequence of which thousands of men were cruelly put to death.

Unfortunately, however, the very excellent foundation that had been laid for public health work at that time, received a serious setback through the doctrinal delusions and superstition of the early Christians that disease and pestilences were visitations of Providence. It was this, undoubtedly, that Ruskin had in mind when, many years ago, referring to prevention of disease, he said: "Any interference which tends to reform or to protect the health of the masses is viewed by them as an unwarranted interference with the vested rights in inevitable disease and death." Unfortunately these diseases have not all been eradicated yet. One finds evidence of superstition in this connection all along the line, even at the present time. Until quite recently the clergy helped out the members of the medical profession wonderfully well by consoling the parents. This, of course, they did in good faith, believing the same to be true, that the death of their child was the will of Providence and that it was His purpose, oftentimes, to take the little lambs into the fold that the old sheep might follow. This sounded very nice and was very comforting, no doubt, to the parents, but as the science of preventive medicine has progressed, we realize that we must now place the blame where it belongs and give Providence a rest.

All communicable diseases have been demonstrated beyond question to be preventable and we are morally responsible for the lives sacrificed if we do not put forth all the effort in the light of modern knowledge, we possibly can in order to prevent these diseases. Sir William Osler, Professor Regius of Oxford, illustrates this delusion very nicely when a few years ago he was visiting his old home in Dundas. He came in contact with a lady, she was dressed in mourning, whom he had gone to school with in his boyhood

days. After talking over reminiscences for some little time, she mentioned the fact that she had seven children, five of whom she had lost. She described to Sir William Osler the conditions under which they had passed away, practically all of them from some form of the diarrhoeal diseases of infancy, during the summer months. However, she ended up by saying that she was perfectly resigned, recognizing that it was the will of Providence to take these children away. Professor Osler, in his usual frank manner replied: "My dear lady, Providence had nothing to do with it. These children were poisoned by dirty milk."

The development of the germ theory of disease dates back to the second century, yet there was no practical application of this made until 1843, when the late Dr. Oliver Wendell Holmes presented a monograph on the transmissibility of so-called puerperal fever, which in itself was sufficient to immortalize his name. In this he explained to the medical profession beyond any question that this disease could be transmitted from one person to another through those coming in contact with it and, for the most part, by human hands or instruments. Little further observation was made along this line until 1846, when Semmelweise, a young Hungarian from Budapest, who was in charge of the maternity wards in Vienna, having become appalled at the enormous mortality running as high as 50 per cent. of the women confined in those wards, made every effort to ascertain some explainable cause, but failed to do so until one of the house surgeons who was engaged in pathological work and in the dissecting room, cut his hand and was suddenly taken ill with chills and fever and other symptoms closely resembling those of the women in the lying-in-chambers. Semmelweise was convinced that there was some connection between these two conditions and that the disease, of which the young house surgeon died, was very similar to that from which the women were dying in such large numbers, in consequence of which he required that all doctors attending these cases should wash their hands thoroughly with soap and water and then hold them for some time in a solution of chloride of lime before coming into contact with or examining the patients in any way, with the result that in six months' time the mortality was reduced practically 75 per cent. However, notwithstanding the indisputable evidence that Semmelweise presented to his colleagues at that time in connection with the relationship of these cases, they belittled all that he had to say and referred to him as a crank along that line and an extremist. The facts were so self-evident to him that his nights became practically sleepless. Discouraged at his inability to persuade his colleagues, he eventually died in an asylum in Vienna.

Little practical advance was made along this line until twenty years after, when Lord Lister introduced the principles of antiseptic surgery. However, in the meantime, a young physician named Pollenger, living in a small town on the Rhine, had interested himself in the examining of blood from human beings and animals, both in health and disease. After numerous examinations he found that the blood from the animals suffering from anthrax, contained small rod-like bodies, which did not appear in the blood of the healthy animals. This occurred with such regularity that he was convinced that there was some connection between the two, and prepared a paper setting forth the details of his observations and presented it to a medical society. This paper was afterwards published in a medical journal, but created little or no comment. Soon after Pollenger's death, a Dr. Davaine followed up this work. He went a little further and inoculated healthy animals with the blood of the diseased, with the result that they became infected with anthrax, which convinced his colleagues that the rod-like bodies in this blood were responsible, in a large measure at least, for the production of this disease. This work was subsequently pursued by Köch and brought to perfection by Pasteur. It was with this knowledge of the findings of these men of research in bacteriological work, which enabled Lister to establish his principles of antiseptic surgery. The religious carrying out of the principles of antiseptic surgery is alleged to have been responsible for the saving of more lives than were killed in all the wars of the nineteenth century. This work of Pasteur has been followed up from year to year by the discovery of the individual germs responsible for many of the com-

municable diseases and consequently the germ theory of disease has become an established fact. Consequently, the germ origin of disease having become an established fact, the administration of preventive medicine was then placed on a scientific basis and it was given to us to ascertain the haunts and habits of the various organisms and the ways and means by which they were transmitted from one person to another.

It was soon learned that typhoid fever, for instance, was for the most part, a water borne and milk borne disease, in addition to which a certain number of cases, of course, are transmitted by means of the house fly. It then became necessary to control our water supply and subsequently our milk supply. So far as the City of Toronto is concerned, our filtration plant was only sufficient to filter from one-half to two-thirds the water consumed in the city. Therefore, it became necessary for us to chlorinate our water supply by means of which we have been able to make water absolutely safe, inasmuch as we have gone for months at a time without the colon bacillus having been discovered once in the water taken from our taps. This assured us of the fact that the water supply of Toronto was no longer a source of typhoid fever. The result was that our typhoid became wonderfully reduced. We have, as you are no doubt all aware, had many complaints from time to time of the unpleasant taste in the water. This is uncontrollable when we have east winds, inasmuch as the agitating of the water, of the vegetable matter in the bottom of the lake near the shore, produces a quality of water which cannot be chlorinated without giving a taste, and while the taste is objectionable at these times, yet we are not adding any more chlorine than at the times when it is not observed at all, but the fact that we have removed the element of danger of typhoid fever more than compensates for the little discomfort caused by this unpleasant taste from time to time.

In addition to the dangers from water it has been demonstrated by practically all departments of health on this continent that many outbreaks of typhoid fever can be traced to the milk supply. This is not due to the fact that the cows are suffering from typhoid, a disease from which they are absolutely immune, but rather to the fact that someone handling the milk is either affected with a mild form of typhoid, or is a carrier and in that way infects the milk supply. These organisms multiply very rapidly in milk, which affords a very satisfactory culture medium for them. In the beginning of our campaign to control the milk supply in Toronto, we found in the first place that a very large per cent., more than 40 per cent. of the milk supply of Toronto was being watered. We made a careful investigation into this in connection with our laboratories, to ascertain the amount of water that was being put in the milk as sold to the consumers in the city, with the result that we found the citizens of Toronto in 1911 were paying \$275,000 per year for water, thinking that it was milk. If this same condition had continued up to the present time, the citizens would be paying over \$300,000 per year for water, thinking that it was milk. This was more than was spent in the entire administration of the Department of Public Health at that time, so that we had the rest of the work which we did all to our credit and as a clear profit. Up to this point we were not dealing at all with human life, but with the proper nutrition of the citizens and particularly with a matter of fraud. We found that the conditions under which milk was produced were most filthy and that much of the milk brought into the city contained evidence of barnyard contamination. While our veterinarians visited the farms from time to time throughout the Province that were sending milk to Toronto, and instructed the farmers as to the necessary precautions to be observed and supplied them with rules and regulations prepared by the Department, yet we realized that between the visits of the inspector there could be much laxity in principles. Consequently an instrument was manufactured, known as the sedimentation or dirt tester. By means of this instrument we can ascertain the most minute quantity of foreign matter, such as barnyard contamination, etc., in the milk, so that when our inspectors stop a wagon bringing in milk to the city and take samples from an agitated container, they can at once ascertain whether that milk has barnyard contamination or not, and if so, to any degree; their custom was to order the man to return it and if he refused to do so, it was dumped into the sewer. Thousands of gallons, during the first year or two of our campaign, were turned into the sewer. The sedimentation or dirt tester has proved most satisfactory inasmuch as the farmers realize that we can see, through that testing, just exactly how they are producing their milk supply and whether or not they are carrying out the rigid sanitary precautions dictated by the Department. It is ex-

tremely rare now for us to get a sample of milk containing any barnyard contamination. However, after we had secured a milk supply free from adulteration and free from barnyard contamination, we knew there was still the danger of that milk being the source of the transmission of typhoid fever, scarlet fever, diphtheria, or other communicable diseases through having been handled by someone suffering from a mild form or just convalescent from an attack of typhoid fever or handled by what is known as a disease carrier, as there are many of such in every municipality and every community, who, though not suffering from any clinical symptoms of the disease, are carrying the germs and are capable of transmitting them to someone more susceptible than themselves. We at once recognized that no system of inspection could possibly control this great source of danger and that there was but one means of making our milk bacteriologically clean and therefore absolutely safe, and that was scientific pasteurization. What we understand by scientific pasteurization is the raising of the milk to a temperature of 145 degrees, holding it at that temperature from twenty minutes to half an hour and then immediately cooling. This destroys all disease producing germs, including the bovine tubercle bacilli, which germ in itself, is quite sufficient to require any municipality to pasteurize their milk supply, inasmuch as it has been fully demonstrated by the British Royal Commission, a commission appointed by Germany, and a commission appointed by the United States, that 26 per cent. of all cases of tuberculosis in children under sixteen years of age, is of the bovine type, that is, has been contracted through drinking milk from cows suffering from tuberculosis. Having, therefore, absolutely controlled our milk supply and our water supply, and educated the people in regard to the dangers of the house fly, we felt that we had cut off practically all channels of infection or transmission of typhoid fever with the single exception of the carrier, which will always be more or less a source of danger over which we have very little control. By the rigid carrying out of these principles, cutting off all source of supply of these germs, we have reduced our typhoid fever in the City of Toronto from 40.8 per 100,000 in 1910, to 1.9 in 1915. This, we feel is a very excellent demonstration of the possibilities of the prevention of communicable diseases, inasmuch as this reduction has been gradual, year by year, there being, of course, a very pronounced reduction in the first year after we controlled our water supply, but there was a still much greater reduction after we had succeeded in controlling our milk supply as well.

Now while I have only demonstrated the control of one communicable disease, yet this in itself ought to be sufficient to convince municipalities of their responsibility in the control of all communicable diseases. There have been many fallacies regarding the sources of the various diseases. For instance, it was thought for some time that diphtheria, scarlet fever, even typhoid fever, were contracted from sewer gas and were transmitted through the air and from decomposing animal and vegetable matter. We know now, as a matter of fact, that this source of contraction is absolutely impossible. These diseases are never transmitted in that way unless it be indirectly through the medium of the house fly. If decomposing animal and vegetable matter is left around, such as garbage, etc., and affords a breeding place for flies, these flies in turn become a source of danger in the transmission of disease, so that in recent years, it has been demonstrated beyond question, that practically all communicable diseases are conveyed by contact, not through the air. One would be quite safe in leading their children through the wards of an isolation hospital where there was scarlet fever and diphtheria, and as long as these children were not permitted to come in contact with any of the sick children and not permitted to touch anything, even the walls or the door-knobs, the balustrades going up and down stairs, in fact not permitted to touch anything within the walls of those hospitals, there would be practically no danger whatever of their contracting this disease. This has been demonstrated over and over again, first in the Hospital Pasteur in Paris, where various forms of communicable diseases were treated and are being treated every year in the same large ward with simply a glass partition between the cots, reaching to within a foot and a half of the floor and practically within five feet of the ceiling, all in the ward breathing the same air and the same air common to all of them, yet in the same ward diphtheria patients, scarlet fever patients, measles and whooping cough are all attended by the same nurses, but these nurses carefully wash their hands and change their gowns after visiting every case, before they pass on to the next case, and where this principle is being carried out, as it is on this continent down in Providence, R. I., the number of cases of cross

infection are not any more than where these cases are treated in separate buildings. The great source of transmission of infection are the human hands and eating and drinking utensils. The eating and drinking utensils by patients suffering from any communicable disease should be carefully sterilized before leaving the room of the patient and no nurse or attendant should leave the room of a patient suffering from any communicable disease without first carefully washing their hands and keeping the knobs of the doors sterilized by wiping them over with a solution of carbolic acid or bichloride in order not to contaminate the hand in passing in and out of the door.

It should be generally known (as it is known to all administrators of public health) that the sources of infection of practically all communicable diseases, except typhoid, cholera and the diarrhoeal diseases of children, are found in the excretions from the nose and throat. Therefore, all saliva in all infected cases contains the germs of disease. This was why it became necessary to abolish the public drinking cup, which was such a common source of the transmission of these diseases from one person to another. In Toronto, we required every restaurant to have a double sink, one for the washing of their dishes and other eating and drinking utensils, and the other for sterilizing them, so that we feel we have removed much of the danger in this way.

Having prevented, as far as possible, disease germs from entering the body, we still require to see to it that the resisting powers of the body are kept up and maintained. This makes it necessary to make a careful study of the social conditions in the home, to ascertain whether or not the revenue of that home is such as to enable those in the home to be properly nourished and properly clothed and properly housed. If not, some means must be obtained for the reinforcing of the income of the home in order that these people may have at least a fair fighting chance against the inroads of disease. We are accomplishing this as far as possible in the Department of Health in Toronto through our Division of Social Service and our Public Health Nurses, and while we feel that we have accomplished a good deal, yet we realize that there is much more to be done than has already been done if we want to materially reduce our mortality and build up a fitter race.

One of the great obstacles to efficient administration in public health work is the difficulty in placing the responsibility, the difficulty in having citizens realize their personal responsibility. It is rarely until these diseases visit one's own home that they have a proper comprehension of what they mean and what it would mean to be entirely rid of them. This is very well illustrated in an instance which occurred across the line, down in the State of Georgia, where in a town of some ten or fifteen thousand population, they had built a home for wayward boys. The Governor of the State having heard of this, offered to give an opening address, and after talking to the people in a very interesting and instructive way for some time, congratulating them on what they had done and pointing out the great significance and great importance of their institution, he concluded by saying: "That if this building is only the means of saving one boy, you will be more than repaid for all the money you have spent on it." When he was going out, the convenor of the committee who was responsible for getting the money together and largely responsible for the building, expressed to the Governor his appreciation of his address, but he said: "There is just one thing, Governor, that I thought was a little far-fetched. That one statement you made, that if we only saved one boy, we would be amply repaid. Now we have spent a lot of money on this for a small place, it has cost us over \$10,000, and it seemed to me that was a little far-fetched. Don't you think it was Governor?" "No," said the Governor, "not if that were my boy." It is only when these diseases come into our own individual home and takes one of the precious ones from that home, that we properly appreciate what this means, and we must not lose sight of the fact that the infant, the little child, the little boy, the little girl, in the humblest home in our city, in our town, or our village, is just as precious to the parents in that home as our child is to us. It therefore becomes our duty, the duty of every municipality to see that those who cannot help themselves, are properly protected and all are given a fair chance in the battle for life.

IT'S AN ILL WIND—

"I see that there's a great scarcity of paper."

"Glad of it! My creditors may have to stop sending me bills."

COUNTIES OPERATING UNDER THE HIGHWAY IMPROVEMENT ACT, AND NUMBER OF MILES OF ROAD DESIGNATED FOR IMPROVEMENT

Wentworth	140	Miles
Lanark	110	"
Simcoe	427	"
Wellington	330	"
Lincoln	29	"
Oxford	220	"
Hastings	478	"
Peel	102	"
Middlesex	390	"
Lennox and Addington	171	"
Prince Edward	122	"
Halton	158	"
Perth	187	"
Frontenac	127	"
Waterloo	175	"
Carleton	220	"
Leeds and Grenville	247	"
York	210	"
Haldimand	125	"
Welland	157	"
Essex	141	"
Prescott and Russell	210	"
Dundas, Stormont and Glengarry	338	"

PUBLIC UTILITIES AND PUBLIC OPINION

Much has been written and many addresses have been delivered concerning what should and what should not be the relationship between public service corporations and public opinion. Public utilities in Canada, by which is meant such corporations as cater to a community, or a group of communities, have been subject, more or less, to the usual antagonism and misunderstanding that is the common lot of such enterprises.

Slowly, but none the less surely, however, a better understanding of the attitude which these two sides should assume, one toward the other, is gaining ground. In more recent years those in charge of public utility corporations, at least the most aggressive of them, are realizing as they never did before that their very existence depends upon the support of public opinion, and that no permanent success can be attained without a real effort to "cuddle up to John Smith." After all, does it not all hinge upon the company's simply taking into its confidence the public, without whom its franchise is worthless? It is a partnership in the real sense of the word. This means that there must be no dodging the issue. So far as the private corporation is concerned, frankness is absolutely essential if the public is to keep faith with it.—The Canadian Engineer.

Dr. Arkell, of Beachville, was awarded \$4.40 and costs, the latter being fixed at \$7.99, exclusive of witness' fees, by Judge Wallace, in his suit against the Township of West Oxford to recover \$60 payment for his treatment of a foreigner in Woodstock hospital.

The doctor who is the medical officer of health for the Township was called to attend a foreigner who had been seriously injured by thugs who waylaid and robbed him. The claim was based on the allegation that he had taken the man to Woodstock hospital and attended him there on the authority of the reeve.

Reeve Pullin decided this, declaring that he told the doctor to send the injured man to the hospital, but did not authorize him to accompany him or attend him after he was admitted to the institution, realizing that the township was entitled to claim free treatment for the patient as an indigent.

Town Planning and Good Roads

By W. A. McLean, Deputy Minister of Highways, at Hamilton Meeting Civic Improvement League

Roads and streets constitute the framework upon which towns and cities are built. The manner in which streets are laid out is a determining factor in many details of a city's welfare. Natural advantages of a situation, by poor street location, may be lost or even converted into obstacles; while on the other hand, apparent obstacles to development, if wisely considered, may be converted into advantages by a suitably arranged street system.

Main Thoroughfares in Cities

The favorable situation of a business thoroughfare, the accessibility to the residential section, the opportunity for factory and industrial sites, the convenience of railway and shipping facilities, are intimately bound up with the arrangement of streets. The arrangement of streets may tend to the congestion of traffic, or may tend to traffic diffusion. A large economy (or waste) of time and money may, for all future, be dependent upon the initial plan of streets.

Motor traffic is making an unprecedented demand upon the carrying capacity of city streets. The number of motor cars in the Province is growing rapidly. In 1904 there were registered 535 cars; in 1914, 31,724 cars; in 1915, 42,346 cars; and this year the number will exceed 50,000. In 1917, it seems probable that the number may exceed 60,000, and 100,000 cars is a possibility in the not far distant future. This traffic will, proportionately, converge on city streets and to meet its needs, main diagonal thoroughfares will be found a most effective solution. The majority of urban municipalities in Ontario has been sub-divided on a rectangular system. Main diagonal thoroughfares shorten distance, save time, and prevent traffic congestion.

The aggregate economy, and the diffusion of traffic, produced by diagonal thoroughfares render them an important key to the traffic situation of the future.

There are few cities of importance which to-day if it were possible, would not make radical changes in the layout of their streets. Many cities, after laboring under a handicap for years, have been compelled to carry out expensive schemes of street widening, and of opening new thoroughfares, to overcome the defects created by neglected growth. The lesson is obvious. Forethought and intelligent planning applied to the street system during the period of growth are fundamental to favorable urban development.

Every city desires to grow. Growth is the natural and healthful tendency of a prosperous community. The country road of to-day is the city thoroughfare of to-morrow. The present sparsely occupied suburban area may quickly become the fashionable annex, or the industrial district under development of the not far distant future. A city has an immediate interest in the territory over which growth may be anticipated, and in the location of main thoroughfares through that territory.

Bonus the Farming Industry

More than the immediately adjoining areas of normal growth, the interest of the city extends into the farming district beyond. Municipal boundary lines are arbitrary. It is impossible for the city corporation to enclose itself within these lines by an impassable wall, and continue to exist. The farming industry came first, the hamlet became the village, the village became the town, the town became the city because of the farm, the forest and mine.

Growth of cities is very often fostered by the bonusing of industries. Good roads are essential to intensive farming. The increase of agricultural production by means of intensive farming, will add thousands of dollars to the annual income of farmers adjacent to a city. Farming is an industry which tends to bring greater and more permanent prosperity to the entire community. The bonusing of the farm industry by equitable co-operation in road improvement, is a form of bonus which no city can afford to neglect.

The Ontario Highways Act offers a plan whereby cities may co-operate with counties in the improvement of roads within a suitable suburban area. The city can thereby control to a suitable extent the arrangement of main entrances to the city with a view to future growth, and can also encourage intensive farming adjacent to the city by providing better roads than the rural territory alone could pay for. The contribution of the city can be added to the ordinary expenditure of the county, thus encouraging the construction and maintenance of roads proportionate to the traffic. In

every country which has achieved a system of good main roads, the cities have, directly or indirectly contributed to the cost.

American Method of Taxation

In the American States, cities are not separated from township and county organization as in Ontario, while State revenues are raised by direct taxation on assessment. As a result we find that the cities in New York State are paying 85 per cent. of the cost of the State roads. The assessment of Detroit is 85 per cent. of the total assessment of Wayne County; so that Detroit is paying 85 per cent. of the cost of the concrete roads of the county. The city of Cleveland is paying \$800,000 annually for roads outside the city. The city of Boston is paying 65 per cent. of the expenditure on the State Roads of Massachusetts.

Classification of Roads

Roads may, in general, be divided into three classes, viz:

- (1) Main roads between cities or other important objective points.
- (2) Market roads radiating from market towns and shipping points, and carrying the accumulated traffic of the district.
- (3) Local feeders, each carrying only the traffic which originates on the road itself.

It is to the two former classes that cities will be required to contribute in the case of main roads by assessment through special commissions, in the manner of the Toronto-Hamilton highway; and in the case of market roads, through county councils, the expenditure to be confined to a reasonable suburban area.

Suburban Road Commissions.

Under the new Act, a county council having a system of county roads under the Highway Improvement Act may apply to the Provincial Government to have any city within the county brought within the scope of the Act. Upon direction by Order-in-Council, a city is required to appoint a commissioner, the county appoints a representative, and the two select a third commissioner. It is then the duty of a commission so formed to define the county roads to which the city will contribute and to direct the expenditure thereon. For such suburban roads the Provincial subsidy for construction will be 40 per cent. and the county and city will each contribute 30 per cent; and for maintenance, 20 per cent. by the Province, and the county and the city each 40 per cent. Adjacent to cities of 50,000 population or over, five commissioners will be selected instead of three; two by the city, two by the county, and the four choose the fifth commissioner.

The city of Toronto is contributing to the cost of roads in York County, dollar for dollar with the county. The cities of Kingston, Kitchener and Galt are arranging to co-operate with the counties in which they are situated in the improvement of a limited mileage. Such co-operation will permit the construction of concrete, heavy bituminous, or other durable roads adjacent to the city, to meet the demands of the heavier traffic.

Why Cities Should Co-operate

Main roads adjacent to cities, owing to concentration of traffic, are always expensive to maintain; or rather are usually in an inferior condition owing to a neglect to provide sufficient funds to adequately maintain them. This condition reflects the benefit which such roads are to the city, and the consequent duty of the city to assist in their maintenance.

It is clear also that if a farmer with a family on a one-hundred acre farm is required to contribute to the cost of a market road three miles distant from his farm, it is equally just that the 10,000 inhabitants of a city grouped within an area of 2,000 acres should contribute to the cost of main roads immediately entering the city; over which necessary produce comes to the city, over which merchandise passes on the return journey, over which a valuable part of their daily business flows.

The history of road development in every country shows that main roads cost too much to be built at the expense of rural communities only; and as a matter of self-interest in improving local conditions as well as in promoting national development, it is desirable that the provisions of the Act respecting city support should be adopted.

COUNTY ROAD ORGANIZATION

County road organization, subsidized by the Province, has been actively considered during the past year by nearly all the sixteen counties which have not yet participated in this plan of road improvement.

On January 18th of this year, new legislation was brought into effect by proclamation, appropriating provincial subsidies of 40 per cent for construction, and 20 per cent. for maintenance. For several years prior to that date an increased provincial grant had been mooted, and county councils in some cases considered it desirable to delay action until more favorable conditions were arranged in that respect. The Provincial Highways Department, owing to unsettled policy in that regard, had also found it impossible to carry on a successful propoganda for extension of county road systems.

With the opening of the year, and the definite inauguration of the new legislation, special reports were submitted by the Provincial Department to each county council at the January session, showing with some detail the local application of the county road system. Since that time representatives of the Department have addressed or held conferences with nearly all the county councils.

As a further means of publicity in counties which have not yet organized, a pamphlet outlining the county road system has been published by the Department, and over 100,000 copies mailed to the homes of leading ratepayers. At the request of representative citizens in the County of Ontario, a series of meetings has been arranged in that County, all of which are being attended by the Deputy Minister of Highways.

A programme of road construction and maintenance under the control of county councils is felt by the Highways Department to be a successful and effective method of road betterment. It can be amply justified by experience in those counties which have had the system in operation for a lengthy period. Publicity and full investigation are sought by the Department, and to this end the propoganda will be continued by all suitable methods until the ratepayers and public are everywhere informed on the subject.

Essex County has already established a system of county roads this year. Brant, Kent, Lambton and the united counties of Dundas, Stormont and Glengary are considering by-laws at the November session. Special interest has been shown in Huron, Bruce and Prescott and Russel. A committee of the Victoria County Council in company with an engineer of the Department inspected the county road systems of Prince Edward, Frontenac and Lennox and Addington, and were much impressed. The Counties of Lanark and Prince Edward are extending their schedules.

Road building is itself a slow process. Organization for economical and successful results requires experience, which can best be obtained gradually and without haste. Road improvement can be made to play an important role in the period of unsettled conditions following the cease of the war, and to this end, it is the part of wisdom and patriotism to enter upon plans of organization now.

The Guelph Herald says that the plan adopted in that city having the police collect the poll tax and paying them 15 per cent of all they collect, is working out well. City Treasurer Rose reports that \$1,145 has already been paid in to his office and the collection is only a little more than half completed. The largest amount previously collected in any one year was a little over \$700. Barrie might well copy Guelph's example. The hap-hazard fashion in which the poll tax has been collected in Barrie for years is very unfair to the ratepayers assessed for property, business or income. Persons liable for poll tax should be made to pay their share of the burden of municipal government, and particularly in the case of men eligible for enlistment who choose to stay at home in comfort following their ordinary vocations.—Barrie Examiner.

OF COURSE

A little pickaninny came into the drug store in a small country town and asked for a cake of soap.

"Do you want it scented?" he was asked by the clerk.

"Naw, suh," he answered. "Ah'll take it wid me."

EXCESSIVE WATER CONSUMPTION

Use of Water Meters Would Materially Reduce Waste.

The excessive water consumption in Canadian cities constitutes a very serious problem. The average daily consumption in the Dominion is 111 gallons per capita; in individual provinces it reaches as high as 143 gallons per capita, and in certain centres of fairly large size, attains a maximum of 292 gallons. There is no doubt that these figures can easily be lowered. The consumption in Great Britain is below 25 gallons in several cases, and the highest rate is only 70 gallons per capita.

That the more extensive use of meters would remedy conditions to a great extent is shown by two of our prairie provinces, Manitoba and Saskatchewan, where meters are more widely used than elsewhere, and where the average consumption falls to 50 gallons and 55 gallons respectively,—less than half the average for the remaining provinces. Nor would the introduction of meters mean an increased cost to consumers. The average estimated cost of water for Canada is 10.9 cents per 1,000 gallons, the only provinces materially exceeding this being the two prairie provinces, where meter rates have already been widely adopted. The rates charged on the meter basis could be adjusted to meet different local conditions, so that the amount paid by each consumer would be practically the same as at present, but all wastes would be avoided. Many Canadian municipalities have both flat and meter rates in force, the consumer having the choice between the two, but as a rule the meter rates are so ridiculously high for the average consumer that there is in reality no choice. For instance, although the estimated cost for Canada is 10.9 cents per 1,000 gallons, numerous cities and towns charge 30 cents and over, with several charging even over \$1.00 per 1,000 gallons. Our excessive consumption is not due to the liberal and beneficial use of water, but to the careless waste by a few consumers in each community. Meters will not affect the former, but will very effectively check the latter.—L. G. D.

TEACHERS WON AGAINST TRUSTEES

A case of interest to school teachers and trustees was decided by Judge Wiseman at Midland recently. It appears that at Easter last, two teachers closed school at three o'clock in order to catch trains to get home for their Easter holidays. The trustees objected to this and the teachers were dismissed. They appealed to the Teacher's Alliance and action followed. One teacher in a primary grade had followed a long established custom in the school closing at three o'clock and the other had left a qualified teacher in charge of her classes for the last hour of school, and the court ruled that the regulations had not been contravened, that the teachers had left the school with the full knowledge of the principal, and that the trustees had erred grievously in dismissing them. He allowed the teachers the full two months' salaries and expenses, the school board to pay the costs.

SAFETY FIRST

Traveller (on Irish railway)—Will there be time to get a drink here, guard?

Guard—Yes sir; plenty of time.

Traveller—What guarantee have I that the train would not go without me?

Guard (generously)—Oh, begorra, I'll go and have one along with you.

Ontario Railway and Municipal Board

Digest of Proceedings During October

City of Hamilton—Oct. 2—On October 2nd the Board heard the application of George S. Burkholder, et al, for an order directing the City of Hamilton to furnish it with water supply, etc., when the Board delivered judgment to the effect that the applicants are not entitled to construction of Water Mains, the reasonable distance for service pipes being 300 feet from existing distribution mains, plan to be prepared by Applicant's and City's engineers accordingly and submitted to the City, the hearing in the meantime, being adjourned 'sine die.'

Township of Enniskillen—Oct. 3rd—The Board, pursuant to appointment, heard all parties interested in the matter of the Application of this Corporation, under sub-sections 9 and 10 of section 460 of "The Municipal Act," for relief from obligation to rebuild a bridge over Bear Creek, on the sideroad between lots 3 and 4 in the 8th Con., of the said Township. The Board dismissed the application, the Township to be allowed to negotiate with certain ratepayers affected by this Application regarding a settlement. The Board would then give order effectuating settlement through such negotiations for whatever such order might be worth. The Hearing was adjourned to November 3rd, 1916, at the Board's Chambers.

Bosanquet Township—Oct. 4th—The Board considered and approved the Application of Margaret P. Armstrong, under section 20 of "The Municipal Amendment Act," 1914, for approval of Plan of Port of Peninsular No. 2, in the Lake Road, west concession, Township of Bosanquet, at Port Franks, including sub-division lot 11, West Parkinson Street in Peninsular No. 1. This sub-division having a street of a less width than 66 feet, the width required by statute, the Board required special reasons to be given before approving of the Plan.

City of Kitchener—Oct. 6th—The Board has issued Orders, under sub-section 3 of section 400 of "The Municipal Act," approving of this Corporation's by-laws Nos. 1456 and 1458, providing for the expenditure of \$9300, for sewage disposal works, and \$7200 for construction of sewer in the South Ward.

Township of Admaston—Oct. 6th—The Board has considered and approved the application, under section 8 (1) of "The Ontario Telephone Act," for approval of by-law No. 216 of this Corporation, granting the use of certain highways in the Township of Admaston to the Upper Admaston Telephone Co. Ltd.

The Mallorytown Telephone Co. Ltd.—Oct. 6th—This Company filed with the Board, under section 31 of "The Ontario Telephone Act," an application for authority to charge \$15.00 per annum for Local and Rural Telephone service, and this matter is still under the consideration of the Board.

Erie Telephone Co. Ltd.—Oct. 6th—An order has been issued by the Board, under section 26 (7) of "The Ontario Telephone Act," approving of regulations made by this Company for the purpose of preventing wilful interference with or interruption of conversations or messages over the lines of its system. Any person offending against any regulations made under the above statute shall incur a penalty not exceeding \$25, recoverable under "The Ontario Summary Convictions Act."

Porcupine Telephone Lines, Ltd.—Oct. 6th—An Application was filed by this Company for approval of revised charges for local telephone service in the Town of Timmins and the Township of Tisdale, and for authority to make a toll charge of ten cents per conversation, Timmins and South Porcupine, and vice versa.

Township of Bromley—Oct. 6th—The Board has issued orders, under section 8 (1) of "The Ontario Telephone Act," approving of this Corporation's by-laws Nos. 252 and 254, granting the use of certain highways to the Wolfstown Telephone Co., Ltd., and The Upper Admaston Telephone Co., Ltd., respectively.

The Board also issued an order, under the same statute approving by-law No. 307 of the Township of Ross, granting the use of certain highways to The Muskrat Lake Telephone Co., Ltd.

Town of Petrolia—The Board has considered and ap-

proved the application of the Corporation of the Town of Petrolia, under section 295 of "The Municipal Act," for validation of its by-law No. 1066 and the debentures thereunder, \$7500 to provide for certain expenditures already made by the Town.

Town of Ridgeway—Oct. 11th—The Board has also issued an order, under section 295 of "The Municipal Act," for validation of by-law No. 618 of the Town of Ridgeway, providing for a debenture issue of \$10,000 for extensions and improvements to its Waterworks System.

City of Toronto—Oct. 12th—The Board issued judgment in the matter of the Application of The Toronto Suburban Railway Company for approval of plans of a proposed extension of its Railway along Davenport Road, easterly from Bathurst Street, in the City of Toronto.

City of Toronto—Oct. 14th—The Board has issued order in the matter of the application of The Toronto Suburban Railway Company, for approval of change of gauge to standard gauge, change of grade where necessary and for renewal of tracks on Dundas Street, Toronto.

City of Galt—Oct. 16th—An Application was filed with the Board by this Corporation, under sub-section 3 of section 400 of "The Municipal Act," for approval of its by-law No. 1408, providing for the expenditure of \$7,000 for extension of Waterworks System. On consideration of the material filed in support of the Application the Board required the Applicant to furnish it with a proved or certified copy of the Certificate of the Provincial Board of Health approving the extension of the Waterworks System, and a fuller statement of the details of revenue received or anticipated from the extension and also of all additional disbursements for operating expenses, etc., by reason of the new extension, this to be prepared in the form of an accountant's statement shewing debits and credits and a balance sufficient to take care of the principal and interest of the new debt from year to year. This further material being duly filed, and same being satisfactory, the Board issued its order on October 27th approving the by-law as requested.

Township of Kerns—Oct. 16th—An Application having been filed with the Board on September 16th last, under section 17 (10) of "The Ontario Telephone Act," for an order fixing the price to be offered by the Municipal Corporation of the Township of Kerns for the Telephone System of The Pioneer Rural Telephone Co. Ltd., and the Board having heard all parties interested herein, issued its order as follows:

Whereas, the Municipal Corporation of the Township of Kerns, in the District of Temiskaming, proposes to erect poles, cables or wires upon or along certain highways in the said Township upon or along which are at present located the poles and wires of the Pioneer Rural Telephone Company Limited.

And whereas the Applicant and The Pioneer Rural Telephone Company, Limited, have been unable to agree as to the price to be paid for the purchase of the said telephone system.

And whereas the Applicant has applied to this Board to fix a price to be offered by the Municipal Corporation of the Township of Kerns for the purchase of the plant and equipment comprising the said telephone system.

And whereas the Board did instruct its Electrical and Telephone Expert to investigate and make a report as to the value of the said plant and equipment.

Upon reading the report of the Board's Electrical and Telephone Experts, and other material on file.

The Board, in the exercise of the powers vested in it by "The Ontario Telephone Act," hereby fixes the price to be offered by the Municipal Corporation of the Township of Kerns for the purchase of the plant and equipment comprising the telephone system now owned and operated by The Pioneer Rural Telephone Company, Limited, and located within the said Township, at the sum of Three Thousand Three Hundred and Three Dollars and Forty-nine Cents, (\$3,303.49), and directs that the said Municipal Corporation of the Township of Kerns shall offer to purchase the said plant and equipment at the price so fixed.

(Continued on page 230)



Subscribers are entitled to answers to all Questions submitted if they pertain to Municipal Matters. It is requested that all facts and circumstances of each case submitted for an opinion should be stated as clearly and explicitly as possible. Unless this request is complied with, it is impossible to give adequate advice. Questions, to insure insertion in the following issue of paper, should be received at office of publication on or before the 20th of the month. Communications requiring immediate attention will be answered free by post, on receipt of a stamped-addressed envelope. All questions will be published unless One Dollar is enclosed, with request for private reply.

Alien may be Collector.

465—H.M.L.—The council of this township has appointed a tax collector who is an American subject, but who is a property owner and has resided here for seven years.

Certain ratepayers have taken objection to the appointment claiming it is illegal on the ground that the person appointed is not a British subject.

Is there any thing in the statutes bearing on this, and is the appointment legal?

The appointment is legal.

Liability for Payment of Taxes.

466—E.C.—Can the council force a farmer to pay school and council taxes? The said farmer is not residing on his farm for the present time and he has no road to get in except a road to go across the bush. He has no grading road. He cut his road himself or the man who had the farm before him. The municipality spent \$125 on the road to go right to the front of his land.

There are a few supporters in school sections No. 2, who have arrears of taxes since 1913 and they say that they are exempt from paying said taxes. The school is not under the Regulations 17. The Board do not recognize the Art. 17, but the teachers teach the two languages and they receive the government grant.

Can they force the ratepayers to pay such taxes? The school is not open yet, but they are trying to get a teacher.

1. Yes, if in an organized township.
2. Yes.

Damages Caused by Drain.—Arbitration Proceedings.

467—C.C.H.—A ratepayer of our township is asking for some repairs to a drain and also sends in a bill by a solicitor for \$75.00 damages. The council met on drain and did not see where he could claim any damages other than where the water makes a sharp turn in two places on his property and the council agreed to make sufficient repair at these points to make the drain satisfactory to the plaintiff. The council not being able to award the plaintiff any damages the plaintiff suggested that we let it go to arbitration. The council agreed to that providing the plaintiff pick a man and the council pick a man and then let the two men selected pick a third man. This was agreed to. Then the plaintiff asked that if the arbitrators awarded him damages that the council bear all expenses and if they did not then he would bear all expenses. The council would not agree to that, but offered that each one pay half expenses no matter which way it went. The plaintiff not having his way would not let it go to arbitration.

1. Can the council compel him to let it go to arbitration?
2. What can the arbitrators charge per day?
3. Were we right in selecting our men and should they be selected outside of the township?
4. How should the expenses be borne?

An agreement should be drawn up, providing for determining the matter in question by one, two or three arbitrators, after which the arbitrators may be appointed. The fees for arbitrators who are not professional men, is from four to ten dollars per day. The arbitrators generally give direction in award as to payment of costs.

An arbitrator may be anyone not interested in the case. If any parties are liable to repair the drain, then they should do so.

Limit of Tile Drainage Loan.

468—A.H.—An owner of land wishes to borrow \$500.00 under the Tile and Drainage Act. The land is assessed on the assessment roll for \$2300. The yearly taxes on said land exclusive of school taxes is as follows: County rate \$6.00; special drainage tax each year for five years \$21.00.

How much can the council lend him under section 13 of the Tile Drainage Act?

Sub-sections 1 and 2 of section 13 of The Tile Drainage Act were repealed in 1914. The limit is fixed by the remaining sub-section 3 at \$1000.

Liability for School Taxes.

469—R.E.—We have a ratepayer in our township that thinks that he is not entitled to pay the general school rate. His contention is as follows: The ratepayers of the township wanted a reorganization of the sections and that was done, and this man's lot was put into a section where there is no school built yet, and he claims that the tax can only be collected from public school supporters, and that he is no supporter until he has a school. We claim that as he is in a section that he is entitled to pay his share of the taxes.

If there are no trustees there would be no requisition for school taxes. The ratepayer would however, be liable for the general public school rate.

Control of Erection of Shelter Sheds in Village.

470—W.D.W.—1. Can the council of an incorporated village legally pass a by-law prohibiting the erection of sheds for the use of the public within a certain area in the corporation, say in the side of Main Street in the business part of the village?

2. Will chapter 192, section 400-47 apply to sheds as well as to garages, barns, outhouses and manure pits?

We would think the section would include sheds.

Paying for Municipal Work when no Arrangement Made.

471—H.W.E.—At a regular meeting of the village council the matter of gravelling the roads was brought up for discussion when it was decided to start gravelling as soon as possible. It was also decided what wages would be paid, but no motion was made out or passed to that effect. A week later teamsters and shovellers were ordered out to draw gravel, but nothing was mentioned by either parties what wages they were to get. The gravelling was finished and at the next meeting of council a motion was made to grant orders to each of the workmen for work done. The council granted them the wages they had been paying previously or had agreed at the meeting previously they would pay. When the orders were being given out afterwards, a number of the teamsters refused to accept the orders granted them claiming the wages paid are not high enough.

1. Seeing that nothing about the wages they were to get was mentioned by the council to the workmen when they started work, can the council be compelled to pay the wages the workmen demand?

2. Was it not the duty of the workmen to ask the

council what wages they were paying before they started to work, and in case the wages did not suit them, they could then refuse to work?

The council, when hiring the teamsters, should have made a definite arrangement as to the pay. As no contract was made, the teamsters should get what their services were worth which is a question of fact.

Tax on Dogs.

472—R.B.—1. Can the collector demand a full year's tax on dogs brought into the municipality during September and October?

2. Can the collector demand a full year's tax for a dog that is not three months old until the month of August?

3. Has the collector any authority to enter dog tax on regular tax notice when same is not entered on roll?

4. Is this by-law in accordance with Provincial Regulations regarding dogs, and if not, has the collector any authority to go by Provincial Regulations when this by-law is still in effect?

1. Yes, if the by-law has been passed under section 406 of the Municipal Act.

2. Yes, if the by-law has been passed as above.

3. The collector has no authority to enter dog tax on notice when same is not entered on roll.

4. Yes, the by-law appears to be regular.

Liability for Expense of Hospital Maintenance and Burial.

473—H.C.G.—This municipality owns a cemetery or burial ground and have trouble in collecting the charges for graves.

1. Can the charges for graves be placed on the collector's roll against the property of the relatives of the deceased?

2 (a) Can hospitals collect from a municipality expenses for board and attendance for indigent persons (say children) whose parents are residents of the municipality? (b) If so, can we collect from parents or friends in any way if able to pay?

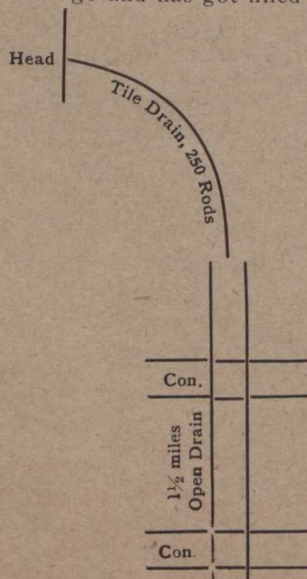
1. Charges for graves cannot be placed in collector's roll against the relatives of deceased.

2. (a) A hospital can collect from a municipality expenses for board and attendance of indigent persons resident in the municipality.

(b) The municipality may collect from the patient if responsible for the amount.

Drainage Act Proceedings and Withdrawal of Petition.

474—D.C.H.—An award drain was dug in the township about 12 years ago and has got filled in badly, and the inter-



ested parties on the upper end wanted the drain cleaned out and deepened. At the meeting the parties on the lower end refused to do anything, stating that the drain should be clean-

ed out farther down to give them an outlet, that the water came on to them and flooded them, so the parties on the upper end of the drain got a petition signed by all the interested parties but three who would not sign. The requisition was presented to the council June 27th asking for a municipal drain. The clerk notified the engineer the first week in July. The engineer has not come on yet. The interested parties, thinking it was getting late, and they would not get the drain done this fall, they all agreed to clean the drain out and deepen it and also clean it out farther down so as to give them all satisfaction. This has been done and they all feel satisfied that the drain will be satisfactory. They now send a requisition asking the council to stop all proceedings.

This requisition is signed by all the interested parties except one, the one at the head of the drain.

I will try and draw a plan of drain so you will perhaps understand it better.

1. Is there any limit to the time the engineer must come on after being notified by council?

2. Has the municipal council power to stop all proceedings if one interested party will not sign requisition?

3. What steps would be necessary to stop all proceedings?

1. Six months. Drainage Act, section 9 (a).

2 and 3. Yes. Council may discontinue proceedings under the circumstances on receipt of petition signed by all who are satisfied. A majority petition is necessary to commence work and under provision of section 18, any person who has signed petition may withdraw.

A Question as to Location of Street.

475—F.L.H.—We have had a little trouble here over a street called Water Street. A certain party in town has had it surveyed and claims a portion of the street comes twelve or sixteen feet of it. I understand there is no registered plan of it in the Registry Office. This street has been in the same place for probably forty or fifty years, and road work has been done on it. This party claims that the street according to the survey he has had of it, should go west some twelve or sixteen feet on to another person's property. The second party is objecting to the encroaching of the street on her property and says she has had her property fenced and has had the deed of it and peaceable possession for at least twenty-eight years. The original street is marked in the following diagram in continuous lines and the survey the party has had is in dotted lines.

What is it advisable for the council to do in regard to it? Can the first party be the means of having the roadway changed?

If the street referred to is a given road that has become a public road by use, the public is entitled to hold only the portion that has been travelled for ten years or more. If there is a survey and plan deducting the road for public use, the council may pass by-law to remove all fences and obstructions thereon.

Ontario Temperance Act and Tobacco Licenses—Regulating Butchers' Pool Table Licenses.

476—J.A.M.—Two years ago the council of W. passed a by-law stating that the license for selling cigarettes and cigarette tobacco would be \$50 per year. One man paid the fee and took out the license. Now the man running the hotel or Temperance House made application for a standard license and it has been granted to him and in that license he is given the privilege of selling cigars, tobacco and soft drinks and also cigarettes. Now this man gets his license from the Ontario Government for one dollar where the other man is paying \$50. Is there any way to deal with this subject?

2. Again there is one butcher shop here who keeps his place nice and clean and up in good shape all summer and now it is getting cool and there is a man in town killing and selling by the quarter also by the chunk less than a quarter also the stores are keeping cured meats. Can this council pass a by-law prohibiting any one from selling meat in town in quantities less than quarters?

3. There is a man here asking for a license for a pool room, and if the town refuses a license he says he will start

a club room. What constitutes a club room with pool and billiard tables in, and what restriction is there?

1. The Ontario Temperance Act, section 146 (5) states that the keeper of a standard hotel shall be entitled to sell cigars, cigarettes, etc., without further or other license. The municipal license applies to all except the hotel keeper.

2. The council cannot prohibit the sale of meat, but may regulate sales by by-law passed under section 419 (1) Municipal Act.

3. Under section 420 (1) of Municipal Act, the term "club" is defined to mean all clubs other than those in which the use of any such table is only incidental to the main objects of the club.

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Maintenance Boundary Road.—Travel on Bridges.—Pool Tables in Police Village.

477—T.B.—Along the east side of our township runs a county boundary commonly known as the B. Road, which was formerly built by the Ontario Government and maintained and kept in a fair state of repair by same until a couple of years ago, but of late many places on said road have got in a bad state of repair. It seems the municipalities on either side of said road have never made any provision for the upkeep of above road, except the statute labor from the front range lots on either side which is not sufficient to keep road in good state of repair.

1. Who would be liable for an accident on said road through want of it being in good state of repair, or whose duty is it to keep said road in a good state of repair?

2. In our municipality we have several bridges across B. River, all of which are less than 300 feet in length and therefore, have to be built and kept in repair by our municipality. On one of these bridges there is a large amount of travel being in the village of K. Is it necessary for our township to pass a by-law prohibiting driving faster than a walk on said bridges or will the ordinary notice setting forth the rate of speed to be travelled be sufficient to prosecute parties travelling faster than a walk on said bridges?

3. We have in our township a police village unincorporated in which there is two or three pool tables. The village trustees issue license and collect fees for same. Is it township or village who should issue license for same?

1. The municipalities.

2. It is optional with council whether notice is put up or not. See section 10 of The Highway Travel Act, R. S. O. chapter 206.

3. The police village trustees. See Municipal Act, section 522(j).

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When Dog and Sheep Act Amended.

478—G.F.—Kindly let me know if the Act has been amended and where it is, to pay full value for sheep killed by dogs instead of two-thirds.

Section 18, chapter 246, R. S. O. 1914, is amended by section 3, chapter 56, 6, George V, passed 1916.

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Abolition of Park Commission.

479—W.E.M.C.—This town having adopted the Park Commission Act in the opinion of some persons, it is considered advisable to repeal the by-law adopting the Act. Kindly advise as to procedure necessary to carry this into effect?

There is no provision for abolishing a Park Commission when established under the provisions of the Public Parks Act.

——*

Voters on Power Franchise By-law.

480—W.R.W.—We are voting on a by-law for a franchise for the H. Light, Heat & Power Co., for transmission of power heat and light from the S. River two miles distant through the village of H. and to supply any person in the village that requires it individually or for street lighting for the council. On the above description of the by-law, will it be legal for the electors at a municipal election to vote on

this by-law or the ratepayers only? It is not a money by-law or bonus. The reeve thinks tenants as well as ratepayers can vote.

The by-law must be assented to by the municipal electors. See R. S. O., chapter 197, section 3.

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Local Improvement Tax on Corner Lots.

481—A.M.—The owner of a corner lot says that he is not entitled to pay per foot same as those dwelling on street marked 1, 2, 3, 4, and 5. In making up roll for collector charged all the same, although the man who is appealing faces on the other street. Kindly let me have correct way to have dealt with matter.

You do not specify the class of work or authority requiring assessment to be entered on the roll. If under a local improvement by-law, section 24 of The Local Improvement Act provides for reduction of assessment on corner lots.

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No Liability caused by weeds and insects from Adjoining Farm.

482—W.W.A.—A. and B. own adjoining farms. They are both tillable. B. cultivated his land and crops in rotation whereas A. allows a portion of his land to remain in pasture which has not been broken up for many years, consequently, it has become a breeding place for grasshoppers and other injurious insects so that B.'s crops are more or less injured each year.

1. Can B. compel A. to break up the land?
2. Can B. get compensation for injury to crops?
3. If so, how would B. go at it?

1. No.
2. No.

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Security for Poundage Fees to be in Writing—Poundkeeper's Declaration.

483—Enquirer—A. impounded B's cattle in C's pound. A. gave no security for poundage fees, but asked (not in writing) C. to collect damages from B.

1. Can C. collect from B. when demand not in writing?
2. C. took no oath or declaration of office. B. says his solicitor advises that C. cannot for that reason collect poundage fees. Can he? I cannot find that poundkeepers are required to take declaration of office.

1. If A. has not complied with section 10 of The Pounds Act, we think he has forfeited his rights to collect damages.

2. Yes. Poundkeepers are required to take declaration of office, but failure to do so does not prevent him from discharging the duties of the office, etc.

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Liability for Business Assessment.

484—P.S.—Can an assessor assess and collect business taxes at the same time or must assessment be made before Court of Revision is held, tenant renting and occupying premises in April 1916. If so, must tenant pay business tax for full year or from time of occupying premises having moved from another town?

Every person assessed for business assessment is liable for the payment of the tax thereon, and amount may be collected in the usual way and may be sued for the amount. There is no exemption because premises are not occupied for full year.

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Licenses to Sell Cigarettes, Etc.

485—G.P.—The Ontario Statutes of 1916 provide that keepers of standard hotels shall be entitled to sell among other articles, cigarettes, also that keeper of any hotel, inn, or house of public entertainment not so licensed shall not sell or traffic in any of the articles referred to.

1. Has a municipality the power to pass a by-law to grant licenses to stores or other business places for the sale of cigarettes?
2. In the absence of such by-law can such stores and other business places legally sell cigarettes?

1. Yes. See sub-section 2, section 419 of The Municipal Act.

2. Yes.

*—

Transient Traders not Entitled to Refund.

486—G.H.L.—On Nov. 7, 1915, one S. S. J. came here from H. and rented a vacant store and opened up a shoe store. We have a transient traders by-law here and we collected the \$100 from him. He also rented a furnished house here and has resided here continuously ever since. On Nov. 7th, 1916, he waited upon our council and asked for a refund of the difference between the \$100 and his taxes for this year. Our council maintain that he is only entitled to a refund of his business tax for each year for three years and no more. He is now preparing to leave town and looks as though he only remained the year to try and get this money back.

Is the stand taken by our council correct? If not, please state in next issue of World the exact law.

S. S. J. would not be entitled to refund of amount paid in accordance with the provisions of your Transient Traders By-law under any circumstances. The provision of the law is that "the sum paid for a license shall be credited to the person paying it on account of taxes thereafter payable by him."

The amount of taxes payable from year to year would be debited in the account and S. S. J. would commence to pay taxes when amount exceeded the license fee paid. What the council have, they hold.

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Sale for Taxes of Soldiers' Interest in Free Grant Land.

487—A.T.—I see by the orders in council of 1916 that where a recruit has taken up free grant lands, his claim is protected from cancellation until three months after the war. We are having a sale of lands for arrears of taxes on Dec. 9th. One lot belonging to a recruit who enlisted a year ago is listed for sale, being 4 years in arrears not to mention 1916. There are several people claiming that we cannot sell his interest on account of being a soldier and that his property is protected until after the war.

I would like to know as to whether we can sell his interest or not.

Section 158 of The Assessment Act says that no person shall be entitled to purchase at a sale of taxes more unpatented lands in the free grant district than a locatee is entitled to hold under Part 2 of the Public Lands Act. Some persons who are already holding their full amount of free grant land claim that they can purchase at the sale an additional amount of free grant land. While I contend that as they already hold their full amount of free grant land, they cannot purchase any more.

1. Can we sell a soldier's interest to his homestead rights at a sale of land for taxes?

2. Can a person already holding his full amount of free grant land purchase any more at a sale of land for taxes?

1. Yes, subject to the soldier's right to redeem as provided in the order in council.

2. Yes, as much as a locatee is entitled to obtain or hold. Section 158 Assessment Act and Public Lands Act, section 48.

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Collection of Dog Tax.

488—J.A.R.—On July 5th, 1916, the council passed a by-law under authority of sub-section 2, section 420, chapter 192 R. S. O. prohibiting the running at large of dogs within the municipality. The assessor having placed on assessment roll (returned April 30th) all dogs in the municipality which were later placed on the collector's roll against the several owners. A number of the owners of the dogs have since the by-law was passed, destroyed their dogs, the others shutting them up.

Can the taxes be collected for these dogs, the owners having no chance to appeal to the Court of Revision, the by-law not being passed in time to allow this?

The dog tax can be collected the same as other taxes. See section 6, R. S. O., chapter 246.

When no Exemption in Seizure for Arrears of Taxes.

489—C.W.—Sub-section 4 of section 109 of the Assessment Act states that the goods and chattels exempt by law from seizure under execution shall not be liable to seizure by distress unless they are the property of the person taxed or of the owner though his name does not appear on the roll. Does this mean that there are no exemptions from seizure on the property of person taxed or the owner? If there are any goods exempt from seizure, kindly name them.

There are no exemptions when the goods and chattels seized are the property of the person taxed or of the owner, though his name does not appear on the roll. Assessment Act, chapter 195, R. S. O. section 109 (4).

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No Municipal Collection Red Cross Subscriptions—Road Fences and Snow Fences on Township Boundary Line in Districts.

490—F.W.—In 1915 we had a subscription list circulated through this township for Red Cross Fund, copy of which I enclose. Several who signed this now refuse to pay.

1. Can the council legally add these amounts to the collector's roll and collect?

2. We have a by-law in this township regulating distance road fences are to be built from road centre. In case of ratepayers who refuse to comply with this by-law, what steps can council take and what would be cost of same and who would costs be against?

3. On township boundary line could anything be done to make council of adjoining municipality have fences which cause trouble in winter put back off the road? In some instances log and stump fences are within 15 feet of road centre and it does not seem reasonable since both councils keep the road in repair, etc., for one to clear its side and the other to be able to leave fences which cause drifts and render the road impassable.

4. On a road running north and south there are several small channels crossing where water used to run on to land on east side of road and disappear in various sink holes. Council had culverts put in originally at these places, but now culverts have been taken out and road ditch deepened and all the water runs into one sink hole. This sink hole is connected by underground channel with a spring water of which is used by a farmer for household purposes. He complains that since the deepening of road ditch, the water of his spring is fouled every time there is a rain, whereas it used to be only in the spring and fall of year or at a time of an exceptionally heavy downfall.

Is council exceeding its rights in carrying water along road ditches past natural outlets?

1. The council cannot legally collect Red Cross subscriptions through the collector's roll.

2. If your by-law does not fix a penalty a by-law may be passed under section 497, fixing a penalty or a by-law may be passed under section 491, sub-section 3, requiring the removal of any fence forming an obstruction and fixing a penalty.

3. If the councils of the municipalities interested cannot agree as to what should be done to keep the boundary line clear of snow the proportion to be borne by each shall be determined by arbitration under section 455.

4. The council has no right to bring water out of its natural course and dump it on any private property without providing a proper outlet.

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No Business Assessment of Taxes Liable for Tax 1916.

491—F.L.H.—Did the recent Temperance Act make any provision for the doing away with the business tax of hotel-keepers? If not, what are cities and towns doing about it?

Yes. No holder of a tavern license in force when the Ontario Temperance Act became law is liable for payment of tax on his business assessment for 1916. See section 148 of the Act.

Statute Labor Joint Ownership Crown Land Location—Arrears of Taxes to be Included in Notice of Sale—Regulation of Slaughter Houses.

492—J.W.—1. Three persons, A., B. and C., own each an undivided third interest in a location in this municipality. They are all now non-residents. Formerly one of them, A., paid the taxes and collected from the others. Latterly A. having become non-resident insisted that all three be assessed and the taxes collected from each individually. Each one is assessed \$100. In the collector's roll I charged each one with two day's statute labor commutation, a total of six days on the location. Now A. objects and says there should only be a total of two days against the property. Which is right?

2. If a tax sale is advertised to take place May 15th, has the treasurer authority to add the ten per cent. penalty when making up the amounts for the advertisement in the first place?

3. Can a rural municipality prohibit the slaughter of cattle in the municipality and pass a by-law to regulate and charge a license fee from slaughter houses?

1. If assessed separately the statute labor would be two days each.

2. Section 142 of the Assessment Act requires the treasurer to furnish a list of lands liable to be sold and a statement of arrears of taxes against each lot, etc. No treasurer is authorized to add any taxes that have fallen due since and by sec. 143, his commutation or other lawful charges and the costs of publication and this list is the list to be published. If the penalty of 10 per cent. is not there at the time of the completion and first publication of the list, we do not think the treasurer has power to include it.

3. Section 84 of the Public Health Act requires the consent of local board of health or municipal council before slaughter houses are established and fixes a penalty for the establishment of a slaughter house without such consent. The Municipal Act, section 399 (59) authorizes by-laws prohibiting or regulating slaughter houses.

Damages to Flock When Sheep Killed by Dogs.

493—J.B.G.—Suppose a man had a sheep killed by dogs and there were two lambs left about two months old and lambs were selling for \$8.50 per hundred in the fall. What would be a proper estimate for injury to the lambs at time mother was killed?

The amount of damages to flock sustained when sheep are killed by dogs is a matter for valuator or the council to decide after all the circumstances are before them.

Appoint School Arbitrator by By-law—All Resignations after Nomination Meeting to be in Writing.

494—D.A.M.—1. Is it necessary in appointing an arbitrator to deal with the boundaries of union school sections that the same should be made by by-law?

2. If so, is it necessary in notifying the inspector of said appointment to send him a copy of the by-law?

3. At a nomination meeting, after the hour for receiving nomination expires, the meeting is continued and some of the candidates proposed decline to run. Is it necessary that they should put their resignation in writing?

1. The appointment should be by by-law which should specify reason for appointment.

2. Yes, a certified copy of the by-law.

3. Yes. The nomination meeting lasts for one hour. Resignations thereafter must be in writing.

Pathmasters Returns and Entry of Statute Labor on Collectors' Rolls.

495—J.U.M.—The council of this township has had trouble for some years by reason of certain pathmasters neglecting to do their duty by not warning out the ratepayers and have them perform statute labor and neglecting to make their returns to the clerk.

At the August meeting council passed a resolution in-

structing clerk to add all statute labor of which he had no proof of it having been performed to the collector's roll to be collected with the other taxes.

1. Has the council power to take such action, or what is the right way to proceed as we see by your answer to No. 443 in the November number that ratepayers are liable even if not warned out by pathmaster?

2. What is the penalty if any, for pathmasters neglecting to do their duty?

3. Has council power to charge ratepayers up with statute labor that has not been performed for several years as far back as 1912 and collect it the same as taxes in arrears?

1. The authority for placing the statute labor of residents not commuted on the collector's roll would appear to be section 15 of the Statute Labor Act.

The clerk has no authority unless he received a defaulter's return from the overseer of highways. On receipt of this, he may enter the commutation on the roll for the current or following year.

2. The penalty for pathmasters neglect of duty should be specified in by-law providing for their appointment and regulating the performance of statute labor.

3. We think not.

A Drainage Case.

496—C.C.H.—A. and B. live on opposite sides of the road. There is a by-law tile drain starts at the road and runs across B's farm and on to the outlet. B. pays about \$180 towards the drain, while A. is only assessed about \$12 while he has only a small amount of water going into it. There is another by-law drain that starts about 20 rods east of the other drain and goes direct down the road on A's side of the road. A. pays to this drain, but B. does not. Now about half way between these drains there is a low hole in the road and also in B's field. The township want to drain the road and B. would like to have this hole in field drained also. B. has not paid anything to the drain going down the road. A. objects to a culvert going in the road. He claims B. has not paid anything to this drain. A. says if B. wants to send his water that way let him put in a larger tile. The township has paid to both drains and also give B. \$6 towards a branch drain from this hole to the main drain that crosses B's farm, but does not work, there being but very little fall.

1. Can A. prevent the township from putting in a culvert to drain this hole having paid to both drains and also to branch drain?

I might say there is an old culvert in there now, but it is down so low and filled up that it is no good to let water across the road and there was nothing said about the culvert when these drains were put in. B. says while this branch drain does not work and cannot drain this hole across to his main drain, that he is willing to pay whatever is right to have it drained across the road into the other drain. It would drain about 2½ acres of B's land.

2. How could the township assess B. for draining this hole if they put the culvert in? The other ratepayers on the road drain do not object to draining this hole nor to B's water going down, also being only 2½ acres of land draining extra that it would not be necessary to have a larger tile.

3. If the township puts the culvert in, it will certainly drain B's hole. Can A. prevent the council from putting in the culvert?

1. No, but if they bring additional water upon A's lands, they may be liable for damages caused.

2. By proceeding under the provisions of the Drainage Act, section 77 if the other drains were constructed under provisions of that Act. If not, proceed under the Ditches and Watercourses Act.

3. No.

Electric Power Rates.

497—W.M.—1. Where an Electric Power Company supplies the residents of a township with light, heat and power, what rates or charges are usually made by the company for supplying any or all of the above?

2. If convenient, what amount of power would be supplied for a given sum, say \$10?

1. The rates charged for power depend largely on the source of supply, the quantity used, the agree-

ment under which it is distributed and possibly of competition.

*—

Closing a Sideroad in District.

498—W.H.C.—1. Has a township council power to pass a by-law to close a sideroad between two concessions against the wishes of a number of ratepayers living in the township. Said sideroad having been open and travelled as a highway for more than thirty years. This road was originally bought and paid for by the township and surveyed by a P. L. Surveyor and chopped out by statute labor and partly built and had a government grant of \$200 expended on it. There are no dangerous places on it, and it is high and dry and level and was in existence before the parties owning the adjoining land came into possession.

2. What steps should the parties take to keep the road open if it is beyond the power of the council to close it that way? Can we go through in spite of them. Several ratepayers attended the meeting called pursuant to notice and protested against closing it. The Council have opened another sideroad a half mile east of it, but there is no sideroad west of it open, but there are two that have never been opened.

Yes, but the by-law would not have any force until approved by a judge of the District Court of the district in which the township is situated. See section 472 (c) (6) and sections 473 and 475.

ONTARIO RAILWAY AND MUNICIPAL BOARD

(Continued from page 224)

Hamilton Rural Telephone Co. Ltd.—Oct. 17th—The Application of this Company, under section 31 of "The Ontario Telephone Act," for authority to increase its charges for telephone service from \$5.00 to \$8.00 per annum, is still under the consideration of the Board.

Town of Goderich—Oct. 18th—The Board has considered and approved the application of the Town of Goderich, under section 295 of "The Municipal Act," for validation of its by-law No. 22 of 1914, and the debentures thereunder, (\$25,000 bonus loan to The Goderich Furniture Co., Ltd.)

Murray—Brighton Telephone System—Oct. 19th—An Application has been filed with the Board, under section 31 of "The Ontario Telephone Act," for approval of increase in annual charge for telephone service in respect of those subscribers of The Murray-Brighton Telephone System whose lines terminate upon the switchboard of The Bell Telephone Co., Ltd., at Frankford, from \$12.00 to \$13.00.

Town of Brampton—Oct. 20th—This Corporation filed an application with the Board, under section 295 of "The Municipal Act," for validation of its by-law No. 605, (as amended by by-law No. 612) consolidating by-laws Nos. 603 (amended by by-law No. 610) and 604 (amended by by-law No. 611, and the debentures thereunder, \$3,332.62 for Local Improvements. This application was approved by the Board on October 21st, and order validating the several by-laws issued.

Town of Aurora—Oct. 20th—Pursuant to the application filed by this Corporation, under section 131 of "The Ontario Railway Act," for approval of proposed interswitching spur between the Grand Trunk Railway and The Toronto & York Radial Railway at lot 76, Con. 1, Township of Whitechurch, and in pursuance of the joint session of the Board of Railway Commissioners for Canada and The Ontario Railway and Municipal Board held in this matter, when the question of the location of the interchange tracks was reserved, the following judgment has been delivered:

JUDGMENT

Interchange at Aurora: File 6713.124

(Copy)

Heard at a sittings of the Joint Board, composed of members of the Board of Railway Commissioners for Canada and the Ontario Railway and Municipal Board, at Toronto, October 6th, 1916.

The Chairman: As intimated at the hearing of this application the Joint Board was favorably impressed with its merits and came to the conclusion that interchange should be ordered.

As the Joint Board had not inspected the location where the applicants desired interchange tracks should be installed and had no report of any official with regard to the safety or feasibility of interchange at the point applied for, the

question of the location of the interchange tracks was reserved.

We have now had the benefit of an examination on the ground and reports from the officials of both Boards (copies of which are attached) from which it will be seen that the officials agree in disapproving of the suggestion of the applicants that interchange tracks should be put in on the right of way of the Grand Trunk Main Line just west of Yonge Street, and recommending that the interchange be made in the Grand Trunk yards with a connecting track, as shown on the line marked "Estimate No. 1" on the plans submitted by the applicants. The reports of the officials are approved and adopted and an order may go accordingly.

As stated at the hearing, no cost of the interchange should be placed upon either the Grand Trunk Railway Company, or the Toronto & York Radial Company.

Ottawa, October 20, 1916.

Township of Gosfield—Oct. 24th—The Board has issued an order, under section 295 of "The Municipal Act," validating by-law No. 279 of this Corporation, as amended by by-law No. 316, providing for a debenture issue of \$6500 for the erection of a school house.

Ahmec Telephone Co., Ltd.—Oct. 24th—This Company has filed with the Board, an application, under section 31 of "The Ontario Telephone Act," for authority to increase its charges for service, business telephones to \$30.00 per annum and residence telephones to \$20.00 per annum, and this application is still under the consideration of the Board.

Township of Portland—Oct. 25th—An application has been filed with the Board, under section 8 (1) of "The Ontario Telephone Act," for approval of by-law No. 587 of the Township of Portland, granting the use of certain highways to The Bellrock & Shimo Telephone Co., Ltd.

An application has also been filed under the same statute for approval of by-law No. 432 of The Township of Wilberforce, granting the use of certain highways in this Township to the Dore Bay Telephone Co., Ltd.

The Burgessville Telephone Co., Ltd.—Oct. 26th—The Board has under consideration the complaint of W. H. Dennis, as to service rendered to him by The Burgessville Telephone Co., Ltd. This complaint was made under section 26 (1) of "The Ontario Telephone Act."

Municipality of Percy—Oct. 26th—An application has been filed with the Board by H. Waters for an order under section 36 of "The Ontario Telephone Act," directing the terms and conditions on which the applicant shall be furnished by the Telephone System of the Municipality of Percy, with direct party line service with the town of Campbellford.

Sarnia Street Railway Co.—Oct. 30th—This Company filed with the Board, under section 250 of "The Ontario Railway Act," an application for approval of extension of its tracks in the City of Sarnia, down Christena Street, to Clifford Street, and down Clifford Street to The Pere Marquette Railway. This extension has been approved by the Board subject to the filing of the formal consent of the City of Sarnia thereto and shewing that the extension is not in any contravention of "The Municipal Franchises Act," (chap. 197, R. S. O.)

Bell Telephone Co. of Canada, Ltd.—During the month of October, this Company made application to the Board, under section 34 of "The Ontario Telephone Act," for approval of agreements for intercommunication, etc., with E. C. Pace (Belmont Telephone System), The Union Telephone Co., Ltd., The Millbrook Rural Telephone Co., Ltd., The Massey Stratton Telephone Co., Ltd., D. S. Austen (Murray-Brighton Telephone System), and The Wilberforce Rural Telephone Co., Ltd., and these applications are still under the consideration of the Board.

SAME THING

Sharp—I punctuated my tire the other day.

Friend—Punctuated! You mean punctured, I suppose.

Sharp—P'r'ap I do; but anyway, I came to a full stop.

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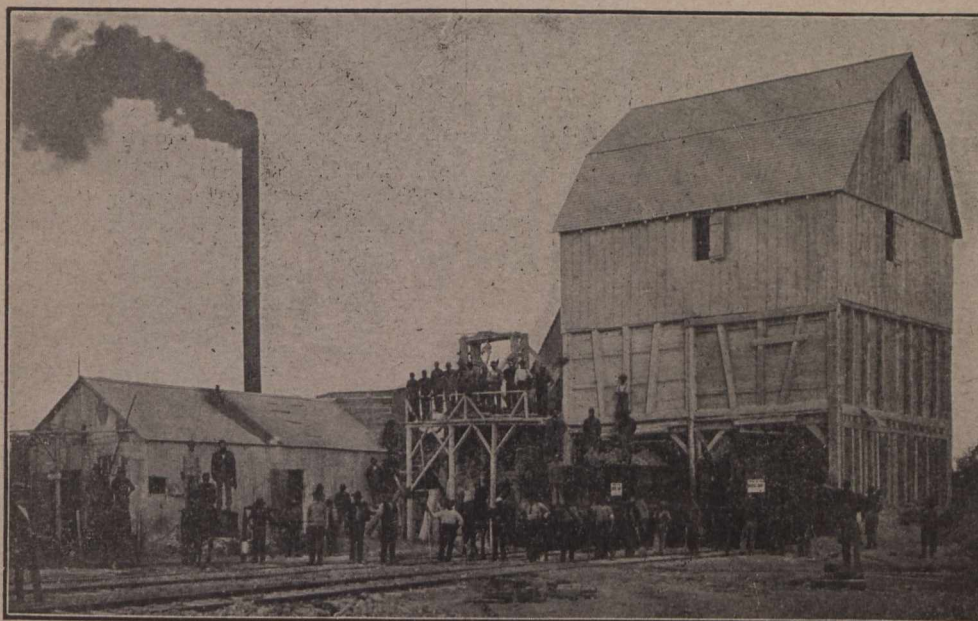
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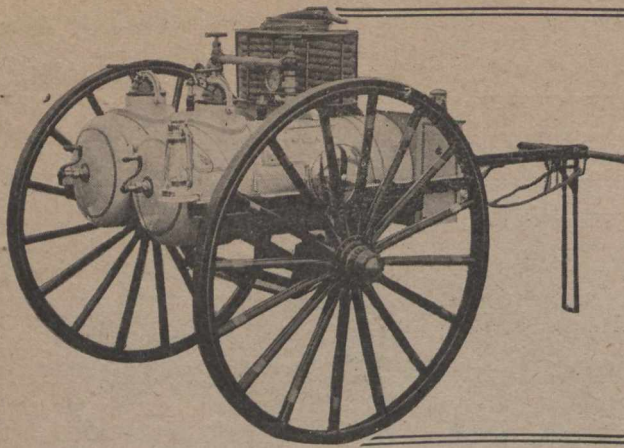
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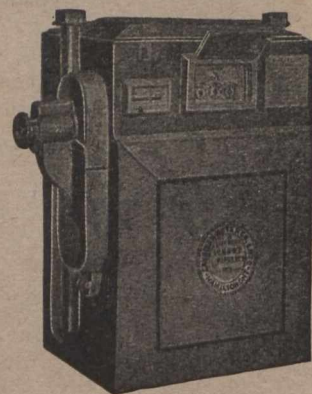
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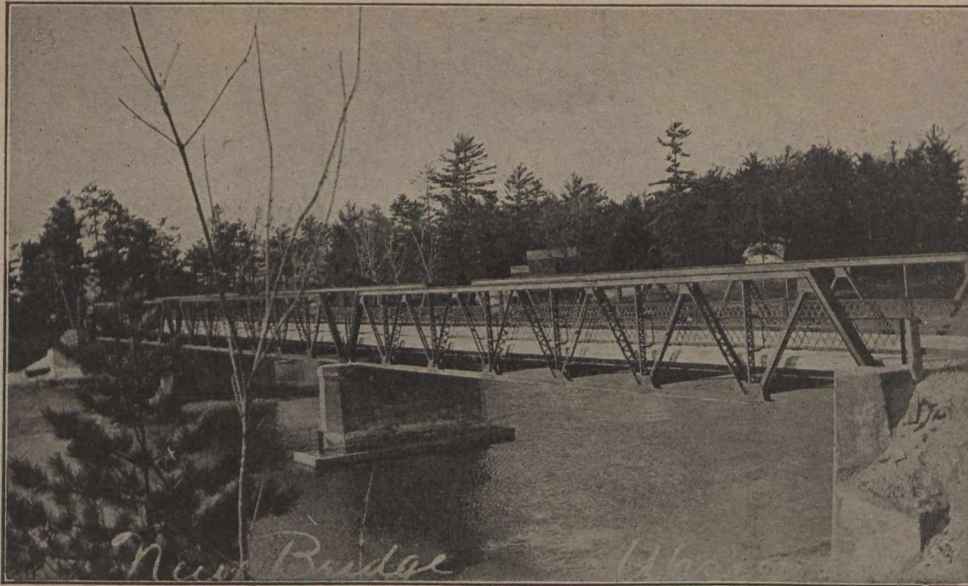
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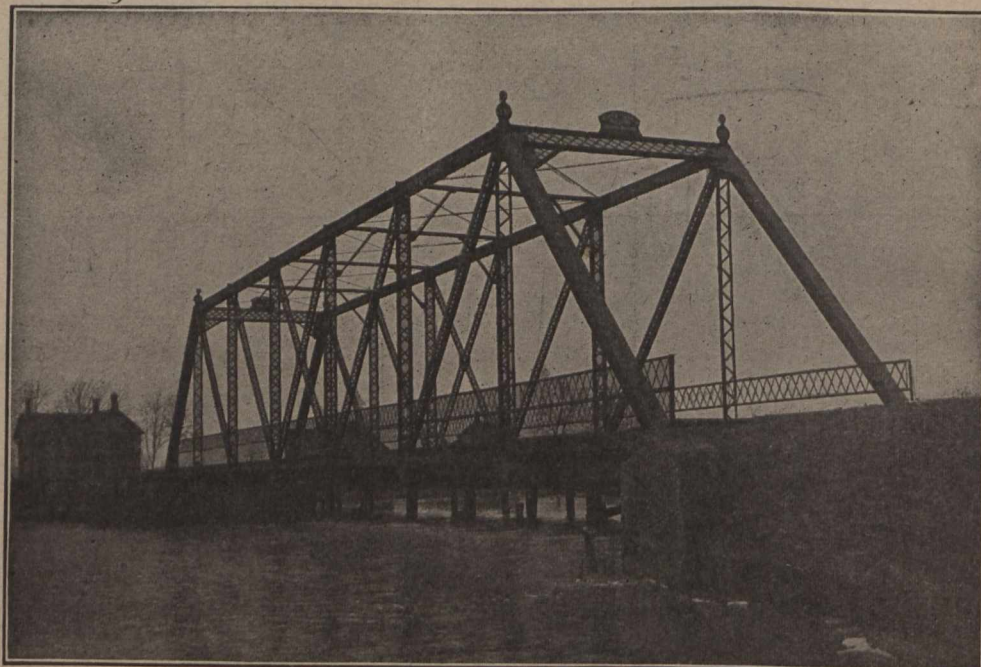
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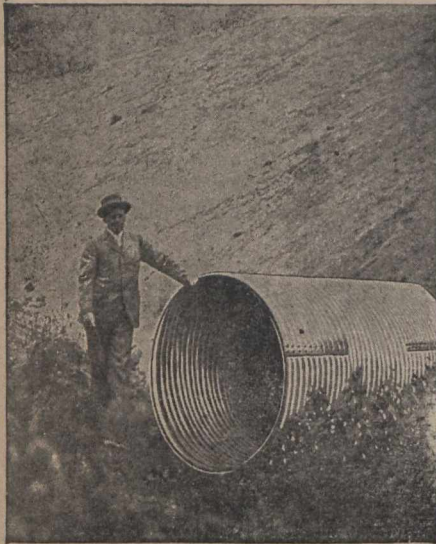
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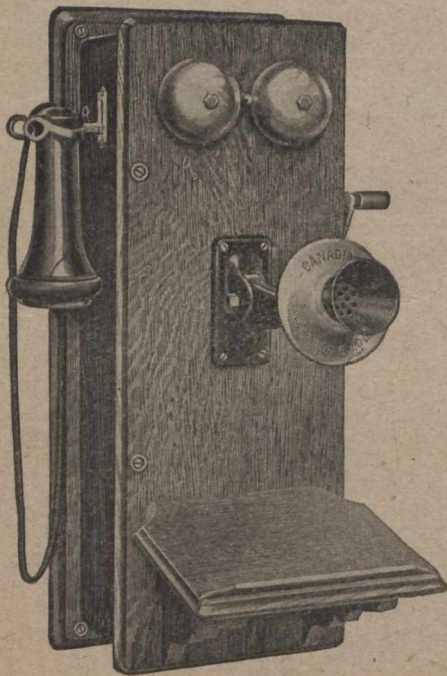
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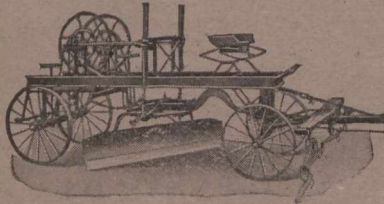
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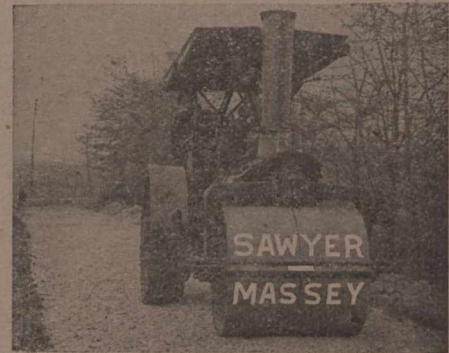
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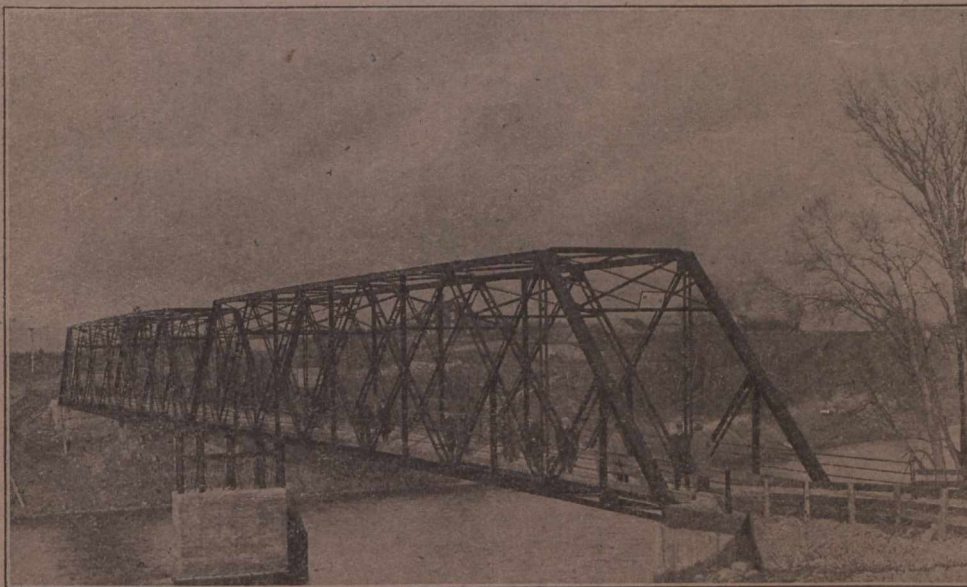
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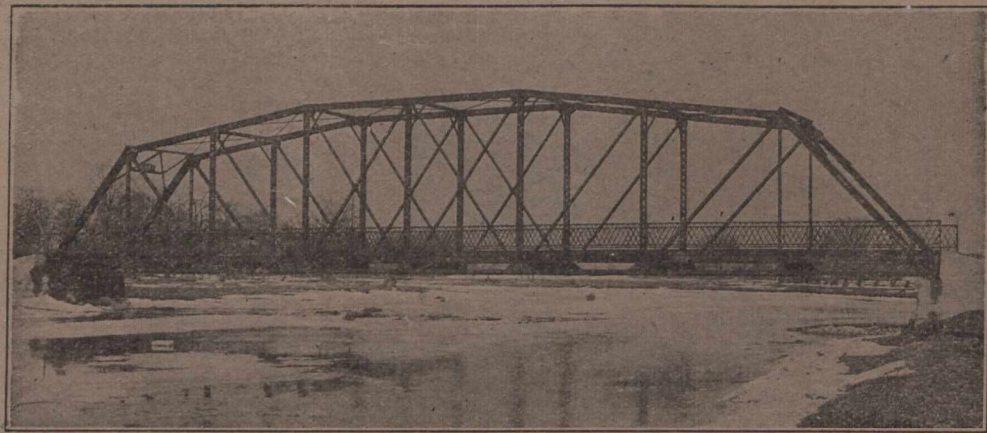
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