

The Municipal World

Published Monthly in the Interests of Every Department of our Municipal System, the best in the World

Vol. 2.

ST. THOMAS, FEBRUARY, 1892.

No. 2.

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Notice to Advertisers.

Advertisements are solicited from firms doing business with Municipal Corporations.

FACTS TO CONSIDER.

1. That our subscribers include Mayors, Reeves, Councillors, Municipal Clerks, etc. The representatives of the people.
2. That each year every Mayor, Reeve, Councillor, Alderman, Clerk and Treasurer in the province, 6,174 in number, will receive at least one copy of the paper, whether they are subscribers or not.
3. The rates are as low as the lowest.

RATES ON APPLICATION.

Address all Communications to

THE MUNICIPAL WORLD,
BOX 749, ST. THOMAS.

CALENDAR OF FEBRUARY, 1892.

LEGAL, EDUCATIONAL, MUNICIPAL AND OTHER APPOINTMENTS.

FEB.

1. Last day for Railway Companies to transmit to Clerk of Municipalities statements of Railway Property. Assessment Act, Sec. 26.
Last day for Collectors to return their Rolls and pay over proceeds. Assessment Act, Sec. 132.
Last day for County Treasurer to furnish Clerks of Local Municipalities with list of Lands in arrears for Taxes for three years. Assessment Act, Sec. 140.
3. First meeting of Board of Education at 7 p. m., or such other hour as may have been fixed by resolution of former Board at the usual place of meeting of such Board. Public Schools Act, Sec. 106; High Schools Act, Sec. 13.
11. The Legislative Assembly of the Province of Ontario meets at Toronto.
15. Last day for Assessors to begin to make their Rolls. Assessment Act, Sec. 49.
25. The House of Commons meets at Ottawa.
29. Last days for Councils to pass By-Laws limiting number of Tavern Licenses to be issued for the ensuing year, or for imposing a larger duty for tavern or shop licenses. Liquor License Act, Sec. 29 a

Last day for City and Town Council to pass By-laws to prescribe further requirements as to accomodation in taverns. Liquor License Act, Section 42.

SPECIAL NOTICE

THE MUNICIPAL WORLD has been mailed to municipal councillors, clerks, and others. Those who wish to become subscribers will please send in their names at once. After February the WORLD will reach all subscribers on the first of each month. Terms, \$1.00 per annum in advance. Special club rates to municipal councils.

The Municipal World.

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COUNCIL AND THE CLERK, \$5.00.

Address all communications to

K. W. McKAY,

Manager, box 749, St. Thomas, Ont.

Communications and advertisements for next month
must be in on or before February 20th.

ST. THOMAS, FEBRUARY 10, 1892.

Municipal Institutions.

Ontario may justly feel proud of her municipal system. In no part of the world are there institutions of a similar kind so admirably adapted to the wants, the intelligence and genius of the people. They are, in short, the philosophy of their self-reliance reduced to simple by-laws. They are the people's common-sense embodied in municipal regulations. They are a wise admission too that the property the people themselves create they should know how to manage. That the country they have won from the wilderness, and which is marked with so many noble achievements of their industry, they will not recklessly run into debt or foolishly involve in difficulties. The first rural or district municipalities were established in 1841, and each year Parliament continues to add to the powers and extension of the municipal system. It has exceeded the brightest anticipations of its originators. It has taught the people how to conduct their own affairs. It has furnished them with a system which were they unhappily subjected to an external aggression sufficient to derange the general government, would enable them to protect themselves and as soon as the storm was over to settle down without difficulty in the quiet and virtuous occupations of peace. It has developed the talents of the people and directed their minds to the noblest of all occupations, viz: the making of the country prosperous and contented. —

Administration of Justice.

EXPENSES PAYABLE BY TOWN, SEPARATED FROM
COUNTY, FOR MUNICIPAL PURPOSES.

Settlements of administration of justice, and other expenses between counties and cities or towns, separated for municipal purposes, are generally complicated and hard to arrange, owing to the lack of full information, and the difficulty in arriving at the actual amount expended by the county to which the city or town should contribute, or vice versa.

It is a nice calculation for any one thoroughly posted in the financial affairs of a municipality to ascertain the exact proportion of administration of justice expenditure paid by the county and the government, under the different headings. There are very few instances where this has been required.

There should be some uniform basis to enable councils to arrive at settlements of this kind. The division of the actual expenditure on a simple basis such as proportion of population or assessment would give the best satisfaction.

The Act respecting expenses of registry offices, provides that a town separated from a county for municipal purposes, and cities in which no registry office exists, should bear a rateable proportion of the expense thereof, based on the assessment of all the municipalities within the jurisdiction of the county.

Sec. 469, of the Municipal Act, which refers to the liability of cities and towns separated from counties, for erection, maintenance of court houses, and other charges relating to criminal justice, payable by the county in the first instance, provides for an arbitration, when the municipalities interested cannot determine the amount to be so payable by such city or town. Arbitrations, when resorted to, are generally expensive, and considered a waste of corporation funds. To avoid this, some basis similar to that provided by the Registry Act should form the subject of an important amendment to this Section of the Municipal Act. Councils or the committees appointed by them, should not consent to a compromise agreement, but should insist on the division of the actual expenditure, the same as they would in any ordinary business transaction. In many counties, towns and cities, special matters are considered in connection with these agreements, but should not in any way, interfere with the preparation of a statement, shewing the actual amount to be divided.

In deciding on the basis of these settlements, exception might be made in the case of gaol expenditures, the amount payable by the county can be divided in the proportion of city or town or county prisoners. The place where the offence was committed, in all cases decides whether the prisoner should be charged as payable by the county or the city or town.

In leaving this matter for the consideration of other officers throughout the Province, I believe it is worthy of the attention of members of the Local Legislature who may be introducing amendments during the coming session.

* * *

H. J. Sharp, clerk of the township of Caistor, died during January. He had held the position of clerk for more than a score of years, with satisfaction to the whole municipality.

Assessors' Duties

Compiled from Assessment Act Chap. 193, R. O., 1887:

Assessment Amendment Act	-	1888
Manhood Suffrage Act	-	1888
Franchise Assessment Act	-	1889
Assessments Amendment Act	-	1889
Assessment Amendment Act	-	1890
Act respecting Exemptions	-	1890
Assessment Amendment Act	-	1891
Act respecting compulsory school attendance	-	1891

Every Assessor should make himself familiar with the above acts. It is impossible to publish them in full in these columns, and our aim is not to instruct them in every particular, but to draw their attention to the more important provisions of the acts defining their duties.

All property in this Province shall be liable to taxation, subject to the following exemptions:

Exemptions

All property vested in or held by Her Majesty, or vested in any public body or body corporate, officer or persons in trust for Her Majesty, or for the public uses of the Province; and also any property vested in or held by Her Majesty, or any other person or body corporate, in trust for or for the use of any tribe or body of Indians, and either unoccupied or occupied by some person in an official capacity.

Where any property mentioned in the preceding clause is occupied by any person otherwise than in an official capacity, the occupant shall be assessed in respect thereof, but the property itself shall not be liable.

Every place of worship and land used in connection therewith, church-yard or burying-ground.

The building and grounds of and attached to every university, college, high school and other incorporated seminary of learning, whether vested in a trustee or otherwise, so long as such buildings or grounds are actually used and occupied by such institutions, or if unoccupied, but not if otherwise occupied.

Every public school house, town or city or township hall, court house, gaol, house of correction, lock-up house, and public hospital, with the land attached thereto, and the personal property belonging to each of them.

Every public road and way or public square.

The property belonging to any county or local municipality, whether occupied for the purposes thereof or unoccupied; but not when occupied by any person as tenant or lessee, or otherwise than as a servant or officer of the corporation for the purposes thereof.

The provincial penitentiary, the central prison, and the provincial reformatory, and the land attached thereto.

Every industrial farm, poor house, alms house, orphan asylum, house of industry, and lunatic asylum, and every house belonging to a company for the reformation of offenders, and the real and personal property belonging to or connected with the same.

The property of every public library, mechanics' institute, and other public literary or scientific institution, and of every agricultural or horticultural society, if actually occupied by such society; and all the lands and buildings of every company formed under the provisions of the Act respecting Joint Stock Companies for the erection of Exhibition Buildings where the council of the corporation in which such lands and buildings are situated consents to such exemption.

The personal property and official income of the Governor-General of the Dominion of Canada, and the official income of the Lieutenant-Governor of this Province.

The houses and premises of any officers, non-commissioned officers and privates of Her Majesty's regular Army and Navy in actual service while occupied by them, and the full or half pay of any one in either of such services; and any pension, salary, gratuity, or stipend derived by any person from Her Majesty's Imperial Treasury, and the personal property of any person in such Naval or Military service, on full pay, or otherwise in actual service.

All pensions of two hundred dollars a year and under, payable out of the public moneys of the Dominion of Canada, or of this Province.

All grain, cereals flour, live or dead stock, the produce of the farm or field, in store or warehouse, and at any time owned or held by, or in the possession of any person in any municipality, such person not being the producer thereof, and being so held, owned or possessed solely for the *bona fide* purpose of being conveyed by water or railway for shipment or sale at some other place.

All horses, cattle, sheep and swine, which are owned and held by any owner or tenant of any farm, and when such owner or tenant is carrying on the general business of farming or grazing (51 V. c. 29, s. 3.)

The income of a farmer derived from his farm, and the income of merchants, mechanics, or other persons derived from capital liable to assessment.

So much of the personal property of any person as is invested in mortgage upon land, or is due to him on account of the sale of land, the fee or freehold which is vested in him, or is invested in the debentures of the Dominion of Canada or of this Province, or of any municipal corporation thereof, and such debentures.

The shares held by any person in the capital stock of any incorporated or chartered bank doing business in this province; but any interest, dividends or incomes derived from any such shares held by any person resident in this Province, shall be deemed to come within and to be liable to assessment under the thirty-first section of the Assessment Act.

The stock held by any person in any railroad company, the shares in building societies, and so much of the personal property of any person as is invested in any company, incorporated for the purpose of lending money on the security of real estate; but the interest and dividends derived from shares in such building societies, or from investments in such companies as aforesaid, shall be liable to be assessed.

So much of the personal property of any person as is equal to the just debts owed by him on account of such property, except such debts as are secured by mortgage upon his real estate, or unpaid on account of the purchase money therefor.

The net personal property of any person: provided the same is under one hundred dollars in value.

The annual income of any person derived from his personal earnings; provided the same does not exceed seven hundred dollars.

The annual income of any person to the amount of four hundred dollars: provided the same does not exceed one thousand dollars.

All personal property which is owned out of the Province, except as hereinafter provided.

Where any person derives from some trade, office, calling or profession an income which is entitled by law to exemption from assessment, he shall not be bound to avail himself of such right to exemption, but, if he thinks fit, he may require his name to be entered in the assessment roll for such income, for the purpose of being entitled to vote at elections for the Legislative Assembly and municipal councils, and such income shall in such case be liable to taxation like other assessable income or property and it shall be the duty of the Assessor to enter the name of such person in the assessment roll.

Rentals or other income derived from real estate, except interest on mortgage.

Household effects of whatever kind, books, and wearing apparel.

Vessel property of the following description, namely: Steamboats, sailing vessels, tow barges and tugs; but the income earned by or derived through, or from any such property, shall be liable to be assessed.

All real property situate within but owned out of the Province, shall be liable to assessment in the same manner and subject to the like exemptions, under the provisions of the Assessment Act, as other real property.

All personal property within the Province in the possession or control of any agent or trustee, for or on behalf of any owner thereof, who is resident out of this Province, shall be liable to assessment in the same manner, and subject to the like exemption in the case of the other personal property of the like nature under this Act. R. S. O. 1887, c. 192, s. 10.

All dividends which are payable to, or other choses in action which are owned by and stand in the name of, a person who does not reside in the Province.

DUTIES OF ASSESSORS.

The Assessor or Assessors shall prepare an assessment roll, in which after diligent enquiry, he or they shall set down according to the best information to be had:

(1) The names and surnames in full, if the same can be ascertained, of all taxable persons resident in the municipality who have taxable property therein, or in the district for which the Assessor has been appointed.

(2) And of all non-resident owners who have given the notice in writing mentioned in section three, and required their names to be entered in the roll.

UNDER THE FRANCHISE ASSESSMENT ACT OF 1889.

Sec. 2. (2) Every farmer's son *bona fide* resident on the farm of his father or mother, at the time of the making of the assessment roll, shall be entitled to be, and may be, entered, rated, and assessed on such roll, in respect of such farm, in manner following:

(a) If the father is living, and either the father or mother is the owner of the farm, the son or sons may be entered, rated and assessed, in respect of the farm, jointly with the father, and as if such father and son or sons were actually and *bona fide* joint owners thereof.

(b) If the father is dead, and the mother is the owner of the farm, and a widow, the son or sons may be entered, rated, and assessed in respect of the farm, as if he or they was or were actually and *bona fide* an occupant or tenant, or joint occupants or tenants thereof under the mother.

(c) Occasional or temporary absence from the farm for a time or times, not exceeding in the whole six months of the twelve months next prior to see disentitle a son to be considered *bona fide* resident as aforesaid.

(d) If there are more sons than one so resident, and if the farm is not rated and assessed at an amount sufficient, if equally divided between them, to give a qualification to vote at a municipal election, to the father and all the sons, where the father is living, or to the sons alone where the father is dead and the mother is a widow, then the right to be assessed under this Act shall belong to and be the right only of the father and such of the eldest or elder of the said sons to whom the amount at which the farm is rated and assessed, will, when equally divided between them, give a qualification so to vote.

(e) If the amount at which a farm is so rated and assessed is not sufficient, if equally divided between the father if living, and

one son, to give to each a qualification so to vote, then the father shall be the only person entitled to be assessed in respect of such farm.

(f) A farmer's son entitled to be assessed under any of the preceding provisions, may require his name to be entered and rated on the assessment roll as a joint or separate owner, occupant, or tenant of the farm, as the case may be; and such farmer's son so entered and rated shall be liable in respect of such assessment as such owner, tenant or occupant.

Every tenant, farmer's son, *bona fide* resident, on the farm of his father or mother, shall be exempt from statute labor in the same manner as if he were the son of an owner and jointly assessed for the property upon which he resides, as provided by Sec. 2, of *The Franchise Assessment Act*, of 1889-1891.

(For the guidance of Assessors in placing names of persons on the Roll as entitled to vote at the elections for *The Legislative Assembly* under *The Manhood Suffrage Act*, which came into effect on the 1st of January, 1889, the following extracts from that Act, and from *The Franchise Assessment Act*, 1889, are given):

Property or income qualification for voters as respects the Legislative Assembly is abolished, except as hereinafter provided.

Every male person of the full age of twenty-one years, a subject of Her Majesty by birth or naturalization, and not disqualified under sections 4 and 5 of *The Ontario Election Act*, or under this Act, and not otherwise by law prohibited from voting, shall, if duly entered on the list of voters proper to be used, be entitled to vote at elections to serve in the Legislative Assembly of this Province.

Provided that such person had resided within the Province for the nine months next preceding the time fixed by statute (or by a by-law authorized by statute) for beginning to make the assessment roll in which he is entitled to be entered as a person qualified to vote, or had so resided within the Province for the twelve months next preceding the time up to which a complaint may be made to the County Judge under *The Voters' List Act*, or this Act, to insert the name of such person in the list.

A person may be resident in the municipality within the meaning of this Act, notwithstanding occasional or temporary absence in the prosecution of his occupation as a lumberman, mariner, or fisherman, or attendance as a student in an institution of learning in the Dominion of Canada; and such occasional or temporary absence shall not disentitle such person to be entered on the assessment roll or voters' list as a qualified voter, or to vote.

The assessor shall place on the assessment roll, as qualified to be a voter under *The Manhood Suffrage Act*, the name of every male person who delivers or causes to be delivered to the assessor, an affidavit signed by such person, if the facts stated are such as entitle such person to be placed thereon, and the affidavit may be made before any assessor or Justice of the Peace.

The assessor shall also make reasonable enquiries in order to ascertain what persons resident in his municipality, or in the section of the municipality in respect of which the assessor is acting, are entitled to be placed on the assessment roll as qualified to be voters under *The Manhood Suffrage Act*, and shall place such persons on the roll as qualified to be voters without the affidavit referred to.

In addition to any other affidavit, oath, certificate, or statement required or directed by *The Assessment Act* or any Act in amendment thereof, the assessor shall, at the foot of his assessment roll, after he has completed the same, make affidavit before a Justice of the Peace in the words, or to the effect following

(To be continued)

QUESTION DRAWER.

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

R. K. ORONO.—“In dealing with claims presented to the council, many are simply read, passed, and ordered paid, while others are dealt with by separate resolution. Is a separate resolution necessary in any case, if so, in what classes of claims, and why?”

All claims presented to a municipal council should be dealt with by resolution. The only legal authority to the treasurer of a municipal corporation to pay is an order or cheque issued on him pursuant to a resolution duly passed by the council. We refer only to claims properly presented to the council, and not such claims as the statutes, or a by-law authorizes the treasurer of the corporation to pay on orders from other sources.

* * *

J. G. PORT STANLEY.—The village council receives a requisition from the public school board every month for amount required to pay teacher and other expenses of the school. The section is a union one. The council has heretofore borrowed the money and paid the interest. Can the school board be required to pay the interest.

We are of opinion that the school board should pay the interest under the circumstances mentioned by our correspondent. Sub-sec. 3 of sec. 109, of chap. 55-54 Vic. Ont. statutes, directs municipal councils of townships to collect from the taxable property in each section such other sums, in addition to those mentioned in sub-sec. 1 of the said section, as may be required by the trustees thereof for school purposes, and sec. 110 of the said act directs the municipal council of every city, town and incorporated village to levy and collect upon the taxable property of the municipality such sums as may be required by the public school trustees for public school purposes, subject as therein mentioned. If the school trustees of a section under estimate their probable expenditure, and request the municipal council to levy and collect a sum, which they (the trustees) afterwards find to be insufficient for school purposes in their section, it is unreasonable to expect the municipal council to borrow the amount necessary to make up the amount and pay the interest thereon.

* * *

J. B.—Chap. 45 of 54th Vic. gives the authority to municipal councils to pass by-laws imposing and levying an annual business tax, etc.

If the council have not passed such a by-law, is it the duty of the assessor to tax the merchandise in the ordinary way?

Sub-sec. 1 of sec. 1 of the statute in question does not repeal or otherwise affect the provisions of the Assessment Act relating to the assessment of personal property in a municipality, unless the council of the municipality exercise the power thereby conferred of passing such a by-law or by-laws as in the said subsection mentioned. Only in the event of a

council passing such a by-law or by-laws is the personal property in the municipality, belonging to the business in respect of which the tax is imposed, exempt from assessment and taxation as formerly.

* * *

W. N.—When a person is nominated for Councillor, and is then nominated for Deputy Reeve, what time has he to withdraw the nomination for Councillor and stand for Deputy Reeve. Must he withdraw during the hour of nomination, or can he wait for some days?

The person referred to should resign his candidature for either of the offices mentioned at the nomination meeting, or at any time within two days thereafter, and in default of his doing so he shall be taken as nominated for the office in respect of which he was first proposed and seconded. If the resignation should be after the nomination meeting it should be in writing, signed by the person resigning and attested by a witness, and should, within said two days, be delivered to the clerk of municipality. See sec. 117, chap. 184, R. S. O., 1887.

* * *

W. N.—At the last Court of Revision in our Township the voter's list was confirmed by said Court and it was understood that there was no appeal from said Court, but when the election for municipal purposes came on, the clerk added several names to the voter's list. Some as owners of other men's property, and others as income owners who were not assessed as such, and are only laborers, and when asked why he had done so, he replied that some time after the Court of Revision and after the thirty days had expired, that the County Judge who is also Revising Barrister for the Dominion list, wrote to him that on looking over the voter's list that voters had been placed on the list in the wrong polling subdivision, and that he, the Clerk, must appeal to him against said list, and that he did and that the Judge sent him a certified voter's list with the added names, and informed him, the Clerk, that on looking over the Dominion list he found these voters should be on for municipal purposes and that there was no other evidence.

We are very loathe to believe that any township clerk would be guilty of the act alleged by our correspondent, especially in view of the penalty mentioned in sec. 36 of the Ontario Voters' List Act, 1889. If the above statement of facts is correct the conduct of the clerk was wholly at variance with and in contravention of the provisions of the said act. We assume that the court of revision referred to was a court held by the county judge, for the revision of the voters' list of the municipality duly held, as provided in the said act.

* * *

M. E.—A piece of ground is purchased for a Town Hall site and to erect a Town Hall, the electors voting \$6,500 by by-law payable in twenty years. The Town Hall erected and debentures sold. Can the council establish a market on the said Town Hall site without the consent of the Freeholders, or use the site for any other purpose than that for which the assent of the electors were given?

Sec. 340 of the Municipal act, sub-sec. 6 enacts that the object for which the debt is to be created shall be recited in the by-law. The establishing of a market was not recited as one of the objects for the crea-

tion of this debt in this by-law, and, therefore, no part of the money voted could be raised for market purposes, especially in view of its being possible that the electors would not have consented to the establishment of a market on the site selected for the town hall. There is judicial authority for saying that “where the money is borrowed for one purpose it cannot, in general be applied by the council to a different purpose.” Money expended by a municipality in establishing a market is not money required for its ordinary expenditure, and a by-law to raise money for this purpose would require submission to and the assent of the electors.

We would suggest, however, that if attended with no inconvenience to the public and the use of the land selected as a Town Hall site would not be thereby impaired or prejudiced, a market might be established on the land in question with considerable advantage and saving of money to the ratepayers.

* * *

R. R. INVIRARY.—I am Township Clerk. We vote on a by-law prohibiting the sale of liquor on the day the votes are to be summed up, I want to be away on other business. Am I justified, under Sec. 246 of Municipal Act to appoint some one to act for me as therein stated, or would it be better for the council to appoint one.

Can a Township Clerk vote on a by-law, as he has no casting vote in case of a tie?

1. A careful perusal of Sec. 246 of the municipal act will lead our correspondent to conclude that a resolution of council is necessary whether the substitute is to be named in the resolution or to be appointed under the hand and seal of clerk.

2. Sec. 306 of the municipal act enacts that the provisions of sections 120 to 176 inclusive of the said act, so far as same are applicable and except so far as is in the said act otherwise provided shall apply to the taking of votes at the poll under the circumstances mentioned by our correspondent and to all matters incidental thereto.

Sec. 157 sub-sec. gives the clerk a casting vote in case of a tie at municipal elections and sub-sec. 2 deprives the clerk of the right to vote otherwise.

Sec. 319 deprives the clerk of a casting vote under the circumstances in question, but neither this, nor any other election gives him the right to vote otherwise. It would seem therefore that the clerk would not have a right to vote under the circumstances mentioned by our correspondent.

The by-law granting a bonus to the Brockville Carriage Company for the establishment of works and the erection of buildings, carried by the ratepayers by a large majority, is to be tested in the courts.

It is stated that to evade the law prohibiting civic grants to established industries the company to be benefited will go into liquidation and remove from its present location to Brockville. If this practice became general it would be better for all parties interested that bonuses were prohibited altogether.

ENGINEERING DEPARTMENT.

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

Municipal Engineering.

Municipal engineering of late years has made as rapid progress as other branches of the profession in the days of experimental engineering when the engineer's judgment decided the size and form of the members of the truss of a bridge, regulated the grade of the road-beds, determined the fall of drains and water courses, decided the class and quality of material for covering roads, when railroads were built according to fancy, and when projected works were mere copies of others. Good judgment was the only requisite qualification, but since engineering has crystalized into definite form; since the results of experiments and experience of failures; the success of scientific investigation and systematic research, have raised it from rule of thumb practice to the place of a recognized learned profession, judgment must be defined in a very broad and elastic sense, or this qualification will not satisfy the necessities of the present day. It would be presumptuous for me to attempt to specify the mould in which an engineer is to be cast, or prescribe the lines by which he must be bound.

The present field of engineering is so broad, and the requirements for different lines of work so varied, that scores of moulds might be described without exhausting the possibilities. The designer of the structure; the superintendent of the work; the man behind the desk; the man in the field, and the man in the testing laboratory—how varied must be his make-up.

A few years ago technical education was not held in very high esteem, but now the man who has not the advantage of such training is sadly handicapped, and only superior natural talents and better directed efforts will prevent his being distanced. Technical education is a pre-requisite to the practice of the profession. Its training goes far in the direction of developing the desired judgment.

* * *

RENFREW, ONT.—A survey will shortly be made with a view of constructing a sewerage system for the town.

* * *

BRANTFORD, ONT.—The work of putting in the poles for the new electric railroad will be proceeded with this winter, and track-laying will be commenced early in the spring.

Roads and Road Making.
Road Beds.

.11

In forming a road bed the grade should in all cases be reduced as far as practicable, as the extra exertion a horse must put forth in overcoming a heavy grade is very great. This can generally be lessened, even in ascending steep hillsides by giving the centre line of the road a zig-zag direction connecting the straight portions of the zig-zags by circular arcs. The grades of the curved portions of the zig zag should be reduced and the roadways also at these points widened for the safety of vehicles descending rapidly. The increased width of the road bed at the curves in the line of the road should increase in proportion to the sharpness of the curve, the increase should be one-half where the angle in the line is ninety degrees. The grade of the road should be regular between the changing points.

In forming excavations the inclination of the side slopes demand particular attention. This inclination will depend on the nature of the soil and the action of the atmosphere and internal moisture. In common soils, such as ordinary earth formed of a mixture of clay and sand, compact stony soils, the side slopes would withstand very well the effects of the weather with a greater inclination, although it is best to give them two feet base to one foot perpendicular, as the roadway will by this arrangement be well exposed to the action of the sun and air which will cause a rapid evaporation of the moisture on the surface.

Pure sand gravel may require a greater slope according to circumstances. In all cases where the depth of the excavation is great the base of the slope should be increased. It is not usual to use any artificial means to protect the surface of the sideslopes from the action of the weather, but it is a precaution which in the end will save much labor and expense in keeping the roadway in good order.

The simplest means which can be used for the purpose consists in covering the slopes with good sods or else with a layer of vegetable mould about four inches thick, carefully laid and sown with grass seed. These means will be amply sufficient to protect the side slopes from injury when they are not exposed to any other causes of deterioration than the wash of the rain and the action of the frost on the ordinary moisture retained by the soil. The sideslopes form usually an unbroken surface from the foot to the top. But in deep excavations, and particularly in soils liable to slips, they should be formed with horizontal cuttings termed benches or small terraces, which are made a few feet wide and have a ditch on the inner side to receive the surface water from the portions of the side slopes above them. These benches catch and retain the earth that may fall from the portions of the sideslopes above, besides rendering slides less liable.

When side slopes are not protected it is well in localities where stone is plentiful to raise a small wall of dry stone at the foot of the slopes to prevent the wash from being carried into the roadway.

In excavating through solid rock, which does not disintegrate on exposure to the atmosphere, the side slopes might be made perpendicular, but as this would exclude in a great degree the action of the sun and air which is essential to the keeping of the road surface dry and in good order, it will be necessary to make the sideslopes with an inclination varying from 1 foot base to 1 foot perpendicular to two feet base to one foot perpendicular according to the locality, the inclination on the south side in northern latitudes being greater to expose better the road surface to the sun's rays.

The slaty rocks generally decompose rapidly on the surface when exposed to moisture and the action of the frost. The side slopes in this character may be cut into steps and then be covered by a layer of vegetable mould sown in grass seed, or else the earth may be sodded in the usual way. The soils which are liable to slip are the stratified soils which have a dip or inclination to the horizon, these slides are caused by the action of the frost or from the pressure of the water which insinuates itself between the strata. Soils formed of alternate strata of sand or clay are of this character, particularly if the clay is of a nature to become semi-fluid when mixed with water. Drainage is the best system to adopt as a preventative in cases of this kind to stop the surface water from running down the slopes and to cut off all springs which run toward the roadway from the side slopes. A ditch constructed on the uphill side of the road will answer to cut off the surface water, as it will prevent it reaching the slope. It frequently becomes a very difficult task to secure the side slopes where slides are caused by the action of springs. Drains formed of broken stones covered with good sods; laid with grass side down to prevent the drain from becoming choked with earth will prevent the action of water if the sources can be easily reached by excavating into the slopes. Where the sources are not isolated and the whole mass appears saturated, the drainage may become effected by excavating trenches at intervals to the depth of a few feet into the side-slopes and filling them with broken stones, or else a general drain of broken stone may be made throughout the whole extent of the slope by excavating into it. This drain should be arranged like an ordinary retaining wall with buttresses at intervals extending into the earth farther than the general line of the drain. In forming embankments the side-slopes should not be less than one and one-half feet base to one foot perpendicular. The surface water from the top of the roadway should not be allowed to run down the sides of the fill as it would soon cut them into gullies and destroy the embankments. To prevent, as far as possible, the settle-

ment which takes place in fills, great care should be exercised in making them, the earth should be laid in successive layers of about five feet in thickness and each layer settled with heavy rammers. This method on account of the great expense is seldom resorted to but where the fill is carried out from one end taking the work forward on a level with the top surface. There is a want of compactness in the mass it is better to form the outside of the embankment first, and to gradually fill in towards the centre so that the earth may arrange itself in layers with a dip from the sides inward, this will in a great degree counteract any tendency to slip outward.

Highway Bridges.

1.

A great deal has been written on the subject of bridges and bridge construction, but almost exclusively we find the writer dealing with works of large dimensions, from which the ordinary official can abstract but little information relative to common highway bridges with which he has to deal, and it is to be regretted that some of our experienced engineers do not instruct us on this subject, although it may be considered but elementary.

As a general thing municipal officials have to take into consideration the cost as well as the principle on which the bridge is to be built and the kind of material to be used in the structure. Stone substructure with iron superstructure of modern design might be to them very appropriate, but they are, as it were, encircled by a limit of cost, and are therefore thrown upon their own resources to devise some structure whereby the stream may be crossed in safety and the expenditure within the limit. It is here that a word from the experienced man would be of great value. Wooden bridges may be looked upon as the origin of all other constructions for crossing streams, whether of stone or iron, for it seems natural to suppose that in the earliest times the simple method of throwing a plank across a stream may have been adopted. A plank thrown across from one bank of a stream to the other is then the most elementary type of a wooden bridge, and the principle on which it is suspended or kept in its proper position is worthy of consideration.

When a strong plank is thus laid upon two supports, that part of it which lies midway between them has to sustain a certain transverse strain caused by its own weight and that of anything crossing over it, by the cohesion between its particles, that is by the power with which the atoms or fibres of which it is built up cling together, for as that part of the plank has nothing to rest upon, it is clear that it will have a tendency to break somewhere between the supports when the strain upon it exceeds its strength. But owing to the cohesion of the particles which attracts

them one to the other, such a plank cannot snap asunder with absolute suddenness, because the cells of which timber is formed are lengthened out into fibres or hollow threads, and these are so interwoven one with the other that one particle or atom of the material will not readily be separated from its fellow as long as such material remains in a sound state. This being the case, the weight upon the plank will cause it to bend or what is technically termed to sag, and it is to prevent such bending or sagging extending beyond a safe amount of elasticity, that the efforts of the engineer of wooden bridges are particularly directed.

It will be easily understood that when a timber is laid across from one support to another, and a load is placed on any part of it, it bends, because the particles of which it is formed are pressed close together upon the upper side, whilst on the under side they are drawn out. Thus we understand that two forces are acting upon the beam at the same moment, for the upper portion is subjected to a compressive force whilst a tensile or stretching force is acting upon the lower side. It is the strength with which these two forces counteract each other that constitutes the rigidity of timber, and it is evident that there must be some intermediate plane between the upper and lower surfaces of the beam in which the two opposite contending forces will meet, in which, of course, neither will preponderate. This is denominated the neutral axis, and is differently situated according to the thickness of the beam and the power of cohesion which is possessed by the fibres of the various kinds of timber. The upper and the lower parallel chords of a truss of a bridge are in the same condition as the upper and lower fibres of the beams. It is, as it were, removing the neutral axis without the beam (or lower chord) and leaving all its fibres in tension while another beam (or upper chord) is substituted for the fibres in compression.

The truss of a bridge as well as a timber has a neutral axis, with its position somewhere between the said chords. If the upper and lower chords are of the same size and shape, its axis will be at the centre of the height of the truss. If the dimensions of the upper and lower chords are not similar, it will be half way between the centres of gravity of their cross-sections. The other members of the truss such as the posts, braces, counters, ties, etc., serve to keep the two chords asunder and to prevent them from bending, also to transform the transverse strains produced by the weight of the truss and its load into other strains acting longitudinally along the different members, and conduct said strains along the truss to the abutments. A load placed at any one of these members is of course partly supported by each abutment; one part of it travels up and down alternately between the chords and along the successive members until it reaches one abutment, and the other part

in like manner until it reaches the other abutment.

The point chiefly to be aimed at in designing a bridge truss is to dispose its various parts so as to form a series of properly connected triangles, because in that shape they present more resistance to disarrangement of form than in figures of a greater number of sides, for in the case of a polygon, if each joint was like a hinge, incapable of offering any resistance to alteration of the relative angular position of the members connected by it, it would be necessary, in order to fulfil the condition of rigidity, that every polygonal frame should be divided by the lines of resistances of stays and braces into triangles and other polygons so arranged that every polygon of four or more sides should be surrounded by triangles on all but two sides and the included angles at farthest; for every unstayed polygon of four sides or more with flexible joints is flexible unless all the angles but one be fixed by being connected with triangles.

All bridges should be calculated to carry a dead load, or the weight of the structure, and a moving or live load, which is composed of teams, persons, or other loads which may at any time come on the bridge, and to resist a certain wind pressure. The live load may be assumed, or is given in the original data, but the dead load must be assumed, and can be accurately determined only by successive approximations, for it is dependent upon that which we seek, namely the dimensions of the parts of the bridge. We, therefore, at first should assume such a value of the total weight as is indicated by other similar structures, and, after the dimensions of all the other parts have been computed the weight is calculated from these dimensions, and if the assumed weight does not largely exceed the computed weight it may not be necessary to review the calculation. The live load should be assumed to equal or slightly exceed the greatest load which we think will ever be placed upon the bridge. The structure should not be so heavily loaded as to damage the elasticity of the materials which compose it. It is impossible to tell the exact load which the structure can sustain without passing this limit, but considerations of safety and durability demand that we should keep upon the safe side, and it is often the case in practice, that bridges are made about twice as strong as would be absolutely necessary if the materials were all of a known standard quality and the workmanship practically perfect. In order to make the structure safe against all these contingencies a factor of safety is employed and the bridge is made several times as strong as is necessary for sustaining the load at the crushing limit. There is no absolute rule for determining the correct value of factor which is the ratio of the computed strain to the actual strain, but its value is assumed arbitrarily by the engineer. Observation in this

particular, in my opinion, is a good rule. Let the engineer observe the margin of safety that has been used in various structures, and it will serve as a guide in designing new ones. If the margin of safety is so small that the structure appears to be insecure, and gives indications of failure, it evidently should not be following. If the margin is evidently excessively large, demanding several times the amount of material that is necessary for stability and durability, such factor is too great. Any engineer, without scientific skill or economy in the use of materials, may err in his direction to any extent; but if the margin appears reasonably safe, and the structure has remained stable for a long time, it serves as a valuable guide, and one which may safely be followed under similar circumstances.

(To be continued)

Good Roads vs. Railroads.

At a recent meeting of the Peel Farmers Institute, Mr. William Porter read a paper on the subject of country roads. He treated it in the right way; that is, he spoke of the roads of his own county, with which he is familiar. In Peel, he said, there are 800 miles of road; some fairly good clay roads, more bad and still more indifferent.

"About four-fifths of this county has paid bonuses to the extent of \$210,000 to railways. These immense grants of the people's money have been handed over to private corporations who, as common carriers, exact from us the last farthing that can be safely done to retain our custom. It is no secret that we in Ontario pay relatively very much higher rates for railway service than those living farther west. I am told that freights on our roads, that have been built at our expence and credit, carry at lower rates from Chicago and other American western points to the Atlantic seaboard than from any Ontario town to the same destination. Living near a leading road to Toronto, I often meet men from the Township of Albion, a township that taxed itself heavily to bonus the T. G. & Bruce, now the C. P. R., yet when the roads are good they find it to their profit to drive all the way to Toronto; the nearest point to Toronto is 25 miles. As an illustration, last winter I met a man who claimed to have gained \$14 on his load, principally barley, that being the difference between Bolton and Toronto prices."

He estimates that for the sum of \$210,000, the amount of railway bonuses, the county could have 100 miles of good macadam or gravel road.

Anchoring Bolts in Stone.

M. J. Butler, Napanee, Ont., writes to Engineering News as follows:—For some years past I have invariably used Portland cement for above purposes. In using 1 1/4-in. bolt I have the hole drilled with a

2 in. drill and the bolt ragged. I have used this style of anchor bolt for the heaviest class of work—engine beds, turbines, pulp grinders and heavy bearings. Some years ago, owing to lack of proper experience in pouring sulphur at the temperature, I made a failure and then tried the cement with success. I have no hesitation in saying that in every respect good Portland cement is the best material I know of for anchoring bolts in masonry.

* * *

At a mass meeting of those interested in the improvement of streets and reform in the city government held in Philadelphia on 22nd January, the following resolution was adopted: "We believe that the present system of maintaining and improving the highways is wasteful, expensive and not adapted to the requirements of a large city, and exercises a pernicious influence in city politics, and, while not committing ourselves to any plan, or passing judgment upon or favoring any particular pavement, we believe that a better system can be devised, and pledge ourselves to use all honorable means to accomplish a practical reform in this branch of our municipal government, and to secure a direct, immediate, and comprehensive improvement of the streets of this city."

A New System of Paving

A trial is being made in Paris of a new system of wood-paving. It consists of pieces of oak about 4 inches long, split up similarly to the ordinary firewood and laid loosely on end in fine sand on a bed of gravel from 4 inches to 4 1/2 inches in thickness. A layer of fine sand is then spread over them, and they are alternately watered and beaten several times. In about forty-eight hours the humidity has completely penetrated and caused the wood to swell, and it is claimed that the mass becomes thus absolutely compact and homogeneous, and capable of supporting the heaviest traffic.

Care of Country Roads in Germany.

The highways of Germany are built to last forever, and their excellence is not surpassed anywhere. In addition to the main road there is a sidewalk for foot passengers, and another path for horseback riders. All along the sides, trees are planted as soon as the roads are finished. Usually these are fruit trees, the crops of which furnish a part of the income of the men, who take care of the road; or of the toll gatherer. For every vehicle, a small toll is collected for a given distance, except farm wagons which are free. Heavily loaded trucks have to have broad tires on their wheels. The cost of building and maintaining these roads, is not put on the rural population alone, but the cities, desiring to secure the rural traffic assume the largest share of it. The principal highways are macadamized and are

built by the State, which has also the control of them. Along both sides of these roads are ditches banked with turf to carry off the surface water. The droppings of the animals travelling on the road are gathered regularly, piled up at convenient places, and sold at fixed prices to the neighboring farmers.

* * *

The following extract from the *Empire* may interest the councils of towns where the local improvement system is under consideration. "The local improvement system is responsible for more bad work and increased debt and cost of government than all the civic administrations for the past twenty years put together. It has built sidewalks out into cow pastures; it has laid pavements through open fields; it has dug sewers into farm lands, and placed water mains and hydrants in the midst of forests.

"It has about doubled the civic debt, piled up the taxes on the outlying districts, flooded the city hall with officials and it is moulding a burden for posterity that will make it round shouldered to carry if this thing is not stopped.

Toll Roads.

In a letter to the Editor of *The Sentinel-Review* a correspondent from East Zorra stated that the toll road question had lain dormant for some time from the fact that those interested in the removal of tolls are in the minority and consequently the County fathers prefer to postpone, rather than grapple with the question. But when the toll nuisance disturbs the tranquility of a neighborhood, when individuals are charged toll, and others, making similar use of the road, allowed to go free according to the inclination of the toll keeper; when only favored parties can contract their toll by the year; when a cheese manufacturing company cannot approach their place of business without being intercepted by a toll-keeper; when ratepayers living on the toll road have been compelled, since it was built, to pay their toll fees, do their statute labor on other roads, and pay their taxes for the maintenance of all the other public roads in their respective townships; is it not high time for county and municipal fathers to take decided action in the matter and mete out to the toll road ratepayers equal justice with all other ratepayers in the municipality? In this enlightened age we pride ourselves on our civilization, the stronger showing humanity to the weaker, but in this toll road system the relics of barbarism are still lingering with us, the majority holding the iron heel down on the neck of the minority.

In some places a grievous injustice is done to those who live in the immediate vicinity of a toll gate. If they only use 100 yards of the roads they are obliged to pay the same fee as one who uses all the road.

LEGAL DEPARTMENT.

H. F. JELL, SOLICITOR,
EDITOR.

Municipal Law.

Municipal Laws.

The enacting of laws relating to Municipal corporations, their lucid interpretation and efficient administration have, of late years, become vastly important. The growth of the population, the increased dissemination of education and the clearing, opening up and development of the country, have given rise to complications and drawn attention to rights, duties and obligations, which were totally unknown to our grand old forefathers in their primitive log cabins, or to the denizen of the drowsy hamlet of the days gone by. Then, the expenditure of a few odd pounds for public purposes rendered it unnecessary that the worthy pioneers should be giants of finance—our elaborate high and public school systems were institutions of the future or still in their infancy. The simple habits and rugged constitutions of the first settlers needed no regulations by boards of health, and, happily for them, necessity had not as yet given birth to our intricate drainage laws.

The growing importance of our municipal corporations, the consequent emergencies, the ventilation of fresh grievances, and local necessities, rendered it necessary that our lawmakers should legislate freely on subjects of a municipal nature.

The result of this, the wisdom of which cannot be denied, has been the building up, in our province, of a municipal system of which we may well feel proud.

But perfection in this direction has not yet been attained; abundant room for improvement can still be found, both in the way of amending existing legislation and of obtaining the passage of laws relating to cases not already provided for. With this object in view every citizen should render our legislators all the assistance his knowledge and experience can command. The Provincial Government has demonstrated its willingness to improve, amend or add to municipal legislation by appointing one commission to investigate and report on affairs relating to municipal corporations in general and another to enquire into the working of the drainage laws. It should, therefore, be our special endeavor to render "the powers that be" assistance in making the researches and inquiries thus instituted and all others of a similar nature, thorough and complete.

No class of persons is better qualified to suggest necessary amendments in, or to call attention to the deficiencies of existing legislation of the kind in question, than officials actively engaged in municipal

work, and we invite these to give a full and free expression to their opinions.

Many provisions in our municipal statutes are loosely and ambiguously framed and, in the absence of judicial decision, are to the ordinary mind, difficult to interpret. In this particular much needed change may be brought about, officials who are in doubt as to any such provisions will do well to give public expression to their difficulties through the columns of the WORLD.

Clerk and Collector.

As to the compatibility of the offices of clerk and collector, we think little need be said. In view of the present state of the law, it would be inadvisable to vest the holding of the two offices in one and the same person. We cannot find as many objections to the combination as to the legality of the appointment of the same person to the offices of treasurer and collector, but the general idea pervading the several sections of the Statutes relating to the offices of clerk and collector, and the duties of both are that these offices are, and should be, held by different persons. For example, Sections 119 and 120 of the Assessment Act give directions to municipal clerks for preparation of collector's rolls, and the latter part of the said 120th Section enacts that, "The clerk shall deliver the roll, certified under his hand, on or before the 1st day of October, or such other day as may be prescribed by a by-law of the local municipality." This language certainly contemplates the holding of the offices in question by different persons. Where there is delivery there must be one person to give up or part with something, and another to receive it.

After what has been said in this and the article in our January number as to the compatibility of the offices of treasurer and collector, it will suffice to say that we do not consider that the offices of clerk, treasurer and collector can be legally held by the same person.

We think it our duty to express the opinion that the convenience of the public would be much better served, and that municipalities generally would be saved considerable outlay, were our law-makers to abolish the office of collector altogether, and authorize the performance of the duties at present pertaining to this office, by the clerk or the treasurer, whose offices are, comparatively speaking, permanent, and whose places of business are, as a rule, well-known to the ratepayers. We think it most appropriate, in concluding this article, to quote the words of Mr. J. M. McEvoy in his admirable essay on "The Ontario Township." They are as follows: "If the treasurer were ordered to notify each ratepayer by circular of the amount of his tax and the date on which it must be paid, he could bring his tax to an appointed place, as, in fact,

"the majority of them already do at present, the people pay the collector for collecting the tax, and do the collecting themselves. Let the Treasurer be invested with all the authority of the collector, but not required to demand the tax except by writing. If a ratepayer does not attend to the notice let him pay for any additional expense incurred in collecting money from him. This would affect a saving of many hundred dollars to the province each year."

Torrens System.

The following is taken from the issue of the Canada Law Journal of the 1st. Dec., 1891. The Torrens system of land registration has certainly taken kindly to the Prairie Province and the latter to it. *The Western Law Times* in its last issue gives a short statistical summary of the results since its introduction on the 1st July, 1885, when the Winnipeg office, originally the only one, and having jurisdiction over the whole province, was opened. In March, 1889, land titles districts were established, and there now remain only six registration divisions under the old system. In the five years succeeding the inauguration of the new system 7991 applications were received. There were 7653 registrations by way of transfer or mortgage and 10994 certificates issued. The expenditure during that period was more than one hundred thousand dollars, but the receipts were considerably over that sum; and the offices are now not only self-sustaining, but yield a revenue to the government. Our contemporary estimates the value of the land brought under the system at considerably over fifteen million dollars. It is stated to be the intention of the present government, as soon as it has been recouped for the expenditure of past year, to reduce the fees, thus making the offices self-sustaining only.

* * *

The following report of the committee of the Upper Canada Law Society will be interesting to many municipal clerks, who unless they pass the necessary examination will be classed with the unlicensed conveyancers. The report says there is ample ground for complaint regarding persons outside the profession preparing deeds and documents of various kinds, and doing of other work strictly within the province of members of the profession. The report suggests that the Registry Act be amended, requiring every solicitor to sign his name to the instrument he draws, and become responsible for any negligence or mistake in the preparation of the document, that legislation be asked for confining this work to the profession, and that only those licensed be permitted to draw out deeds and other instruments and that none be licensed except those who pass the necessary examination.

Legal Decisions.

BOLZER VS. THE CORPORATION OF THE TOWNSHIP OF GOSFIELD SOUTH, AND THE CORPORATION OF THE COUNTY OF ESSEX.

The plaintiff brought action against the defendant for the loss of a horse killed by falling into a ditch dug along a road in the defendant township, under a Drainage by-law. The road in question had been opened and established by a by-law of the township. This road was afterward assumed by the defendant's county by by-law of the County Council, and county moneys had been expended thereon from year to year, prior to the happening of the accident. The county by-law assuming the road had never been assented to by by-law of the township, but the township reeve had moved the passing of the county by-law, and it had never been disputed by the township.

It was held that the road in question was a county road, and that the county were liable to keep it in repair, as provided in Sec. 530, Sub-Sec. 1. of R. S. O., Chap. 184. That the county council had no power to assume the road "for the purpose of expending thereon the county appropriation and for such purpose only," as they had attempted to do in their by-law; that they were liable to the plaintiff in damages but under Sub-Sec. 4, they were entitled to judgment over against the defendant township.

IN RE BYRNE AND THE TOWNSHIP OF ROCHESTER

Byrne was the owner of certain lands in the township of Rochester through which a drain had been constructed under the Drainage Sections of the Municipal Act. He claimed damages from the township in consequence of the construction of such drain. The matter went to arbitration and Byrne was awarded damages. The question to be decided was whether the case was governed by Sec. 483, of the Municipal Act, which provides for compensation for any damage necessarily resulting from the exercise of the powers mentioned in the said Section, beyond any advantage which the claimant may derive from the contemplated work, or by Sec. 591, which makes no allowance for the benefit to the claimant from the work. It was held that the case came under Sections 591-2, of the Municipal Act; that Byrne was entitled to the damage awarded by the arbitrators, and that the amount of such damage should be charged *pro rata* upon the lands liable to assessment for such drainage works.

Judge Robb, of Simcoe, confirmed the action of the Brantford assessors in placing a valuation of \$30,000 upon the personality of the Dominion Cotton company, while he has reversed the action of the civic court of revision in increasing the amount to \$50,000.

CORRESPONDENCE.

This paper is not responsible for opinions expressed by correspondents.

To the Editor of the Municipal World:

DEAR SIR,—As a subscriber to the Municipal Miscellany for the past year, I have read with interest the opinions and suggestions of some of the correspondents, and am convinced that your journal will prove to be a power in the Province in municipal matters as soon as the proper machinery is put to work. It is a medium through which those interested in municipal government can exchange opinions, and as the old adage says, "In a multitude of council there is wisdom." Although we flatter ourselves with having a municipal system second to none in the world, we do not claim for it perfection, but we trust that your valuable paper may prove a means through which the concentrated wisdom of those entrusted with the work of setting these laws in motion, may bring to bear the necessary influence on our Legislature to pass such enactments as will place our municipal system in the high state of perfection that we all desire.

As a humble reader of your paper I take the liberty of submitting for your approval as well as the approval of your many subscribers the following amendments, trusting that you or some of your readers will advise as to the best means of bringing them about:

1st. Many clerks have complained of the responsibility placed upon them by having to decide between two candidates at a municipal election in case of a tie, for in exercising this duty they must necessarily displease a large portion of the ratepayers, which is a very unenviable position to be placed in.

2nd. At each session of the Legislature amendments are passed adding to the duties of clerks and other officials, while no provision is made to pay them for their extra work. This applies particularly to the "Ditches and Watercourses Act," and "Public and Separate Schools Act." Could this not be remedied by fixing the remuneration according to the number of ratepayers on the Assessment Roll. It is well known that the work is in proportion to the number of names on the roll and increases accordingly. I fear I am trespassing on your valuable space, and will leave these questions to wiser and more experienced heads, who I trust will let us hear from them in the next and future issues.

Yours truly,

F. I., Metcalfe, Ont.

Resolutions expressing sorrow and sympathy at the death of His Royal Highness, the Duke of Clarence, were passed by Municipal Councils throughout the Province. Acts of this character testify to the loyalty of the Canadian people and their respect for the Royal Family and British institutions.

The Municipal World.

OPINIONS OF LEADING PROVINCIAL NEWSPAPERS.

Picton Times:—"The first number of the MUNICIPAL WORLD is to hand. It deals exclusively with all matters relating to municipalities, and, if succeeding numbers do their work as well as the initial number does, its great usefulness will render it indispensable to the many who find it necessary to keep posted in municipal affairs."

* * *

Whitby Chronicle:—"A journal of the highest importance to municipal councillors and municipal officers generally has been started at St. Thomas, Ont., and is called the MUNICIPAL WORLD. The present issue gives a calendar of the dates for January when each step should be taken to carry on the business of municipalities and school boards, even to stating what returns should be made, whom they are to be addressed to and who shall do it. It directs the councils as to the health laws, posts school boards as to the school laws, in fact goes all over the field of municipal and school politics. By its guidance almost any man could figure as reeve of a municipality."

A Valuable Municipal Guide.

The MUNICIPAL WORLD, printed in the Journal office, St. Thomas, and issued monthly, is, as its name implies, a guide in all matters municipal, and as such is invaluable to municipal clerks and councillors. It is a neatly printed paper of twelve pages, carefully and ably edited in its several departments. Last year it was published by Mr. Neilson, as the Municipal Miscellany, with encouraging success but that gentleman has transferred his interest to the present owners, and this year's initial number is issued with the change of name. The business manager is Mr. K. W. McKay, a gentleman of wide municipal experience, being clerk of the county of Elgin and treasurer of Yarmouth. The engineering department is in the hands of Mr. A. W. Campbell, a provincial land surveyor, of large experience in his profession. The legal department will be conducted by Mr. H. F. Jell, a solicitor of ability, and also a municipal officer. A special feature of the WORLD will be reports of legal decisions in any way affecting municipal corporations, with notes and explanations."—*Walkerville Mercury*.

The *Mitchell Recorder* is going out of the municipal printing business. It prefers to do that now to going to the poor-house in a very short time if it continues.

The Recorder has determined if it cannot live in the town by fair and honest returns, it can live elsewhere, or not live at all.

The expenditure for printing in many municipalities is about one-half what it should be.

Ontario Drainage Commission.

The Ontario Legislature, at its last session, appointed a Drainage Commission, composed of:

J. B. Rankin, barrister, Chatham, chairman; B. M. Britton, drainage referee, Kingston; W. D. Balfour, M. P. P., Amherstburg; W. M. McGeorge, P. I. S., Chatham; Robert Lamarsh, ex-reeve, Mersea, Leamington; Archibald McIntyre, ex-reeve Brooke, Sarnia.

All of the commission are men who have had experience in drainage matters, and were selected on account of their special fitness for discharging, in an efficient manner, the duties of Drainage Commissioners. The commission is to enquire into the working of Drainage Laws, with a view of pointing out defects and suggesting such amendments and improvements as they may consider necessary.

The commission has power to summon witnesses and require them to give evidence on oath, orally or in writing, as to their knowledge of the workings of the Drainage Laws. At the conclusion of their inquiry they will make a full report to the Lieutenant Governor in reference to said laws, and the evidence taken concerning the same meetings of the commissioners have been already held at Chatham, Windsor, Wallaceburg and Ridgetown. The witnesses examined have been principally officers of municipalities, whose

opinions are the best that can be obtained as to the practical working of the laws in question.

Mr. E. J. Scully, of Windsor, occupies the position of Honorable Secretary to the Commission.

Auditors Duties.

The Municipal Act, Sec. 263, defines the duties of Auditors as follows:—"The Auditors shall examine and report upon all accounts affecting the Corporation or relating to any matter under its control or within its jurisdiction for the year ending 31st December preceding their appointment. The time required to make an audit depends on the size, population and business of the municipality and the way the Treasurer's books are kept. Auditors should be furnished with all the details of the transactions of the Corporation; these should be found in the minutes of the proceedings of the council and papers filed during the year.

The vouchers should all be carefully examined and compared with the entries in the Treasurer's books. The essentials of a voucher are:

1. That it should give information as to whom and the purpose for which it was issued.
2. That it should be signed by some one duly authorized by the council, except in the case of special payments which are provided for by a by-law or statute. Auditors should in every case be satisfied that the council had authority to issue the order paid by the Treasurer, and where no statutory or other proper authority can be found to make a special report to the council as a payment made contrary to law. Where the Auditors are competent accountants suggestions as to desirable changes in Treasurer's method of book-keeping should be included in report to the council.

Particular attention should be paid to the entries in journal and ledger. Entries in the journal should explain themselves, and the different amounts in ledger should show the exact standing

of the municipality as to assets and liabilities at end of year. Where the Auditors are not satisfied in every particular as to correctness of their report they should refer doubtful points to an expert, and every intelligent member of a municipal council should encourage Auditors to make a thorough audit. Often the salary of the auditor is not sufficient to pay him for one half the time occupied, but this should not have any influence as the Declaration required to be made by all Auditors before commencing their duties reads "that I will faithfully perform the duties of such office according to the best of my judgment and ability."

* * *

Crown Attorney Raymond, of county of Welland, died recently aged 81 years. He had held the position for about 30 years.

* * *

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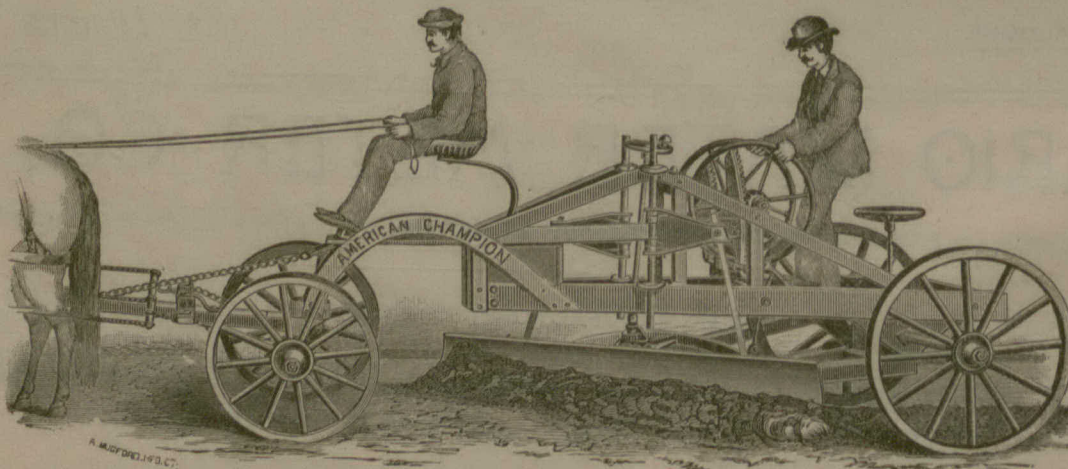
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