THE FARMER'S ADVOCATE
AND HOME MAGAZINE.

THE LEADING AGRICULTURAL JOURNAL IN THE DOMINION.

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It is impartial and independent of all cliques or parties, handsomely illustrated with original engravings, and furnishes the most practical, reliable and profitable information for farmers, dairymen, gardeners, stockmen and home-makers, of any publication in Canada.
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GOLD VERSUS PIG IRON.

That was a philosophical remark, ascribed by a contemporary journalist to John Hill, of Wellington County., Ont., an uncle of the famous railway Colossus. The uncle lives, so the item runs, in a cottage that was the public school where the future railway magnate began his studies. The uncle is frankly proud of "Jim," but is still more proud of his own sons, who have prospered in the West as grain-growers. When Paul Latzbe interviewed him, with a view to writing a magazine article, the old man said: "After all, money isn't everything, and after you get so much, you might as well have stacks of pig iron, for all the additional good you get out of piling it up." A competence is enough; more is a burden.

"The Farmer's Advocate and Home Journal," of Winnipeg, in the course of an editorial entitled "The Country has Developed Faster than the Transportation Companies," goes to the tap-root of the Western transportation difficulties in this sentence: "The cardinal fault was in the homestead regulations laid down many years ago, when only the even-numbered sections could be homesteaded." The retention of the odd-numbered sections for land grants kept these from being settled, unless people were willing to pay the speculator's price. The consequence has been a scattering settlement, involving not only grave social and business disadvantages, but necessitating twenty-five or fifty per cent. greater railroad mileage to accommodate the influx of population, especially in the early years of settlement, before the odd sections were taken up by purchase. It has long since been perceived that the granting of these odd-numbered sections to the transportation companies was a gigantic mistake. It may be pleaded that the evil effects were not foreseen, but it is the business of statesmen to foresee

WOODLAND EXEMPTION ACT AMENDED.

We all make mistakes. Some are due to carelessness, some to stupidity, and some to presumption. Eternal vigilance is the price of accuracy. "The Farmer's Advocate" is always prepared to pay the price, but it seems that we have erred in our interpretation of the Downey Bill, providing for the exemption of farm woodlands from taxation. All we can plead in extenuation is that our mistake was consequent upon a piece of culpable carelessness on the part of someone else. We interpreted the bill according to the way it was intended to read, but it transpires that, through someone's bungling, the act, as printed in the statutes, had been so restricted in its meaning as to have only one-tenth the force it was designed to possess. It has, however, been revised at this session.

When this bill was introduced into the Ontario Legislature in 1905, we scrutinized it carefully, and reviewed its chief provisions editorially. It then contained explicit provision for the exemption of farm woodlands to the extent of one acre in ten of the farm area, but not more than twenty-five acres of such woodland belonging to a single owner. The bill was laid over until the session of 1906, having meantime run the gauntlet of committee, where a few amendments were made, but no very radical changes were reported through the press. Subsequently the bill passed its third reading, and received the Lieutenant-Governor's assent. It was commented upon in leading newspapers, all, we believe, representing that the scope of the proposed exemption was as above explained. After the Legislature was prorogued, the session's grist of agricultural legislation was especially reviewed for this paper by a careful and competent officer of the Government at Toronto, and in writing of the Woodland-exemption Act it was explicitly stated that it was intended to provide that township councils might pass by-laws exempting from taxation unpastured woodland to the extent of one acre in ten of the farm area, but not more than twenty-five acres under a single ownership.

Subsequently, in writing of this act, we simply quoted this concise and simple interpretation of the act, instead of consulting the printed statutes. We explained it thus in an editorial, issue Dec. 20th, 1906, and again later on April 4th, 1907, in reply to a correspondent who had raised a question as to the interpretation of the act. After this was published, imagine our surprise to receive the following letter from our esteemed friend, Thos. McMillan, of Huron Co.:

Kindly allow me to differ from your rendering of the provisions of the statute re exemption of woodlands from taxation, and thus draw the attention of our Legislators to the fact that the measure alluded to is only a pretence in their effort towards forest preservation, in so far as the older portion of the Province is concerned.

Let me cite the wording of the act—Statute 1906, page 378, Section 1, reads: "The council of any township may, by by-law, exempt in whole or in part from municipal taxation, including school rates, lands in the township being 'woodlands' within the meaning of this act, 'provided that such by-law shall not exempt more that one acre in ten of such woodlands, and not more than twenty-five acres held under a single ownership."

But, to my mind, before councils can rightfully, by by-law, have woodlands exempted from taxation, that portion of the Assessment Act of 1904, dealing with the list of property exempted from taxation, must be amended. Section 5 of that act does not make provision for the exemption of woodlands under any condition, and the Statute in question was not passed as an amendment to the Assessment Act of 1904; so that there is a plain confliction in the provisions of those two enactments—another instance of the fact that statutes are continually being enacted without that care and consideration which would reveal to the minds of our Legislators enactments which are already upon the Statute Books of our country.

On looking up the Statutes, we discovered that Mr. McMillan was correct as to the first point he raises, and that the act, as printed, was a mere farce, as it would not exempt more than one-tenth of any farmer's bush. We at once communicated with J. P. Downey and Hon. J. J. Foy, Attorney-General of the Province. Mr. Downey replied, expressing his surprise at the error which had crept into his bill, assuring us that its intention was as we had interpreted it, and that the necessary correction had been made, though he added that he did not like the wording of the clause. Hon. Mr. Foy also replied, informing us that Section 1 of the Act had been amended this session (1907) to read: "Provided that such by-law shall not exempt more than one acre in ten FOR (instead of "of") such woodlands, and not more than twenty-five acres held under a single ownership." While agreeing with Mr. Downey that the wording is still improvable, we can assure municipal legislators that the act, as amended, gives force to the original intention of the framer, as repeatedly interpreted through these columns. The fact that the bill was not introduced as an amendment to the Assessment Act, does not render it invalid. A township council in Ontario may now pass a by-law, under which a farmer may, on making application and complying with the necessary conditions, be exempted from taxation on ten acres of reasonably thick, unpastured woodland for every hundred acres in his farm, providing only that the area so exempted shall not exceed twenty-five acres under a single ownership.

FOR SIMPLICITY IN LAW-MAKING.

The second point raised in the letter by Thos. McMillan, quoted elsewhere on this page, namely, that the Woodland-exemption Act cannot come into force until the Assessment Act of 1904 is amended, suggests ground for a rather pointed criticism of our lawmaking machinery at Toronto. While as to the specific point in question we are assured on good legal authority that the objection does not hold, an amendment to the Assessment Act not being necessary to give effect to the act in question, nevertheless, he is quite right in complaining that "statutes are continually being enacted by the Provincial Legislature without that care and consideration which would reveal to the minds of our Legislators enactments which are already upon the Statute Books of our country." There is a tremendous amount of unnecessary as well as conflicting and sometimes mischievous legislation passed at Toronto, so that our statutes have become a confusing aggregation of ill-assorted acts, without system or unity. The result is a puzzle to the most expert solicitor, let alone a layman. The situation is aggravated by the fact that in indexing the statutes insufficient care is observed in correlating acts that bear on one another. For instance, in the 1906 statute there was nothing in the Assessment Act or in that portion of the index referring to it, to indicate that there was such a thing as the Woodland-exemption Act in force. A person who was not aware of this act being passed might search the Assessment Act and its various provisions for exemptions, without discovering that there was any law on the Statute Book to exempt farm woodlands.

It is true that every ten years a revision of the statutes takes place, and a competent body prune and dress them into shape; but in the period intervening between these decennial revisions a great mass of legislation is passed which lawyers and public are left to make out as best they may.

There are far too many bills introduced into the Legislature, anyway. Every new member who wants to shine in the white light of legislative celebrity feels that the thing to do is to father a bill. He accordingly casts about for some real or fancied defect in the existing statutes, and forthwith introduces a bill to amend the Assessment Act, the Municipal Act, or some other statute on which he thinks he can improve. In the session just closed the number of bills passed was well up in the three figures. Many were trivial, some useless, and a great many would be better omitted in the interests of simplicity.

What is needed at Toronto is an expert lawyer, employed as an officer of the Legislature, to really supervise all bills of which notice is given by Members, eliminate superfluous clauses, and see that nothing is allowed to come before the House which overlaps or conflicts with legislation already in force, except, of course, where an amendment to certain legislation is desired. If, in addition, he supervise the printing and indexing of statutes, and arrange them so that a man of ordinary mind might consult them intelligently,