

is to be hoped that this apprehension is not well founded, and that no consideration of present advantage will lead the Conservative administration at Toronto to perpetrate an Act so subversive of all Conservative principles.

Another suggestion might be urged upon the consideration of the Attorney-General. Admitting for the moment that a municipal council has the power to carry on such works as supplying the inhabitants of a city with water or with light or heat, where the whole population is served, and where the cost may be in excess of the charge made for the article furnished, and therefore assessed upon the ratepayers at large; and admitting also that in such a case a profit may properly accrue to the general funds of the municipality—admitting all this—can we go further and say that a municipal council has the power to carry on works whereby only a small part of the population are benefited? Can, for instance, a municipal corporation legally undertake as a corporate body to supply electric or any other kind of power which is only of use to a small minority of the population? If this can be done there is no limit to the extent to which a municipal corporation may become a trading corporation—a state of things which those who established our municipal institution certainly never contemplated, and which if adopted would lead to untold abuse. The illegality of such proceedings would be more apparent if any part of the cost of supplying the wants of a portion of the population were liable to be thrown upon the community at large. In the case of the supply of such an article as water—a necessity for the whole population—it may be right to tax the whole population, but to do so in regard to anything not of such a necessity would be clearly unjust, and, as far as the corporation is concerned, clearly illegal.

It may be proper for a municipal council to provide a park for the benefit of the inhabitants, and to use the machinery of the Municipal Act, and spend public money for that purpose; but would it be legal to do this for the purpose of providing a park, the use of which would be restricted to the inhabitants on certain streets only? What right has a municipality to levy a tax on all ratepayers for the purpose of private light and power for