

I make no order as to costs, as I think each party should pay their own costs, the incorrect statement given by the company to the assessor being largely accountable for his exorbitant value of the lands.

(Signed) T. W. CHAPPLE,
Judge of the District Court.

Dated this 17th day of July, 1907.

IN Re THE CANADIAN PACIFIC RAILWAY CO. AND THE TOWNSHIP OF HUNGERFORD

We are indebted to Mr. GEO. H. STOKES, clerk of the Township of Hungerford, for the following note of this appeal :

The appeal of the Canadian Pacific Railway Company from the Court of Revision of Hungerford Township was heard in the town hall, Tweed, on Wednesday, July 3rd last, before His Honor Judge FRALECK, Junior Judge of Hastings County.

The company had appealed against their assessment, asking for a reduction of \$550. Court of Revision confirmed the assessment and the company appealed to the Judge, claiming that the assessor was not entitled to raise their assessment above the amount fixed in 1905, save and except the sum of \$62.00 for one extra wire on right of way (telegraph assessment \$562.00) as provided for in section 45 of The Assessment Act.

The solicitor for the municipality claimed that section 45 did not apply until section 44 had been complied with, he claiming that the statement furnished under that section was insufficient, as it did not give the details necessary to assist the assessor in making a proper assessment, merely stating that the company owned 148 acres in Township of Hungerford, whereas the number of acres in each lot and concession should be given.

The solicitor for the company claimed they had complied with the requirements of the Act, and asked for costs against the township.

His Honor gave judgment dismissing the appeal and request for costs.

TRIENNIAL ELECTIONS AND PROPORTIONAL REPRESENTATION PROPOSED IN ENGLAND

In England, where one-third of the members of a council are elected annually, a system of elections for three years, with the proportional representation system of voting, has been proposed. The Association of Municipal Corporations recently passed the following resolution in reference thereto :

"That this council is of opinion that the present method of electing one-third of the members of provincial municipal council is preferable to the metropolitan system of triennial elections; and that even if the system of voting and obtaining the results of the poll proposed by the bill were adopted, it seems to this council doubtful whether it should be introduced into municipal elections, having regard to the complications involved and the delay which will be incurred in declaring the results, and also having regard to the desirability of maintaining the existing uniform method of voting at all elections."

The Town Clerk of Liverpool, in supporting the present law before a committee of the House of Lords, said :

It was very important that there should be as little disturbance as possible from year to year in the general policy of a town council, and such drastic changes as would result by the proposed adoption of triennial elections, and a possible return to the present system, would tend to confusion and disturbance which would be destructive of good and beneficial government, especially in those cases in which the councils are concerned with large

municipal trading undertakings, such as tramways, etc. By the present system of one-third of the members retiring every year the ratepayers were given the opportunity of expressing their views upon any particular matter or matters which had been dealt with during the previous twelve months, or were proposed by the dominant party at the time the elections took place.

Present Advantages

These views were expressed by the return or rejection, as the case might be, of certain retiring members or new candidates, and the new council was influenced very considerably by the result of the elections as given at the polls. Although the result of the elections might show that the ratepayers were not in favor of a particular policy being continued or adopted, still a complete and sudden reversal might cause more harm than good, and serious loss to the community, and consequently there was a distinct advantage in having in the council a number of members who were well acquainted with the various questions which were being dealt with by the council at the time the elections took place, and who could exert a restraining influence upon the efforts of the new members.

With regard to the system of voting, Mr. PICKMERE stated that the present system adopted in both parliamentary and municipal elections (viz., the marking of the ballot paper by a cross), had become well established and was understood by the voter. Any change, even of the simplest description might cause confusion, and result in a large increase of spoiled ballot papers, and this difficulty would be further accentuated if a council were, after adopting the Act, to return again to the present system. The drawbacks of having two systems were conspicuously demonstrated after an election of the now defunct school boards, where, in Liverpool, a voter could give from one to fifteen votes to any candidate, or divide the votes among as many candidates as he liked, provided he did not exceed fifteen in all. In the municipal elections following these school board elections the percentage of bad votes was always greater, owing to the confusion caused by the existence of two systems.

Sound in Theory

To Mr. PICKMERE the idea of proportional representation was no doubt theoretically sound, but its advantages were outweighed by the disadvantages which would arise by the complications of the system which would cause serious delay in the declaration of the polls. He feared very serious blunders would be made, and the number of election petitions increased. He pointed out that the elections referred to by previous witnesses were conducted by experts, well versed in the system, but as town clerk of a large city, having charge of the election machinery, when 100,000 votes might be polled (in the event of triennial elections), he dreaded to think of the result of introducing such an intricate system, as it would require 34 expert statisticians (one for each ward) to superintend the counting, who would have to be thoroughly acquainted with the rules.

Sir Samuel Johnson, Clerk of Nottingham,

Said it was very important that there should be as little disturbance as possible from year to year in the general policy of the town council. Under the present system continuity of policy, so far as municipal work was concerned, was obtained. The dislocation caused by triennial elections would be difficult to estimate, but he considered it would be most injurious in its results to good local self-government.—*Municipal Journal*.

Mr. IRA F. CULP, who has been treasurer of the County of Lincoln for the past ten years, died at St. Catharines on the 10th July last.