

to confine them to a motion passed through error. Even if the rules require notice to be given to bring the matter up at a future meeting, it has happened that a majority by vote have suspended the rules for the time being in order to correct an error of judgment or for other good and sufficient reasons. The power of a council to make rules, pass resolutions or by-laws does not preclude them from repealing the work done, especially where no action has been taken on such proceedings such as would affect prejudicially the rights of others. By-laws to raise money by debentures and on the strength of which money has been advanced cannot be repealed, as there are interests involved beyond the control of the council, and it is not competent for one party to a contract to annul or alter such contract. The Municipal Act makes special provision for preventing councils undoing such work as referred to.

A ratepayer appeals against the whole assessment roll as unequally assessed as to relative value. No names or lots mentioned in the appeal. Is the above appeal according to law? We are of opinion that the appeal requires the names and lots of parties wrongly assessed in order to be entertained?

G. F.

The law never contemplated or intended an appeal of such a general nature. Appeals must be explicit in their terms, and specify lots and names of persons appealed against. It would be an utter impossibility for any clerk to comply with the terms of the law in the matter of giving notices to all the parties, to the assessor and also prepare a list to be hung up in his office. It would be equal to making out two or three full copies of the assessment roll. No court would compel the clerk or the Court of Revision to act on such an unreasonable and unwarranted appeal.

In the year 1875 this township was divided into four wards with a polling place in each, but now with the increase in voters each ward has two polling sub-divisions. On account of the formation of this township, caused by a ridge of rocks which runs through part of it, some voters have to travel several miles to reach their own polling places, although quite close to a polling place in another ward. Has the council power to amend the original by-law and alter the present boundaries of wards, or would a vote of the ratepayers be required before they could do so?

I. C.

Among the few limitations placed by the Legislature on the powers delegated to township councils to manage local affairs without the intervention of the people is that of passing by-laws relating to the establishment of the ward system for electoral purposes. Wards can only be instituted on the presentation of a petition to the council signed by a majority of the whole ratepayers to that effect, and in such a case the council have no option in the matter, as they are required by statute to give effect to the petition by the passage of a by-law within one month. Thus the people have the supreme right to make, as well as to unmake township wards. Nor can wards once established be abolished, or even their boundaries in any wise altered by the council without the consent of the people being had in a similar manner by petition. It is the latter power that I. C. enquires about, as no doubt it must seem strange that the council should have the exclusive right to define the boundaries in the first instance, but cannot afterwards amend their own work without the intervention of the people. The statute requires the council when wards are

petitioned for to divide the township into four wards having regard to the population so that each shall be as nearly equal in number of electors as possible. Wards that were nearly equal in population a few years ago might now vary considerably both in population and valuation, and in order to continue the principle provided for when first defined should be made to conform to altered circumstances from time to time. One ward having two hundred ratepayers might have as much influence and power at the council board as another ward now having five hundred ratepayers and paying twice or three times the proportion of taxes. Such a state of things would be manifestly unfair and not in accordance with the principle of representation as laid down in the statute itself. We can easily see good reasons for placing a check on the council in the matter of establishing the ward system in the first place, but fail to see any satisfactory grounds confining their power in the matter of altering ward boundaries at any time that a material change of population or the convenience of the electors makes it desirable. The council has been entrusted with full power to establish and to alter polling sub-divisions within the several wards, and had also the power to define the boundaries of the wards in the first place, surely therefore it would not be too much stretch of authority to permit the alteration of the ward boundaries when a change of population or the convenience of the inhabitants requires it, without the necessity of getting a majority of the whole of the ratepayers of a township to petition for the change as is now required by section 94 of the Municipal Act. Any M. P. P. who is ambitious to distinguish himself as an amender of the Municipal Act should at once take the hint, as there is room for a needed change here.

Municipal councils have different ways of passing by-laws, and I wish you would give us the proper course to pursue. Is it necessary to go into committee of the whole on by-laws? and why first, second and third reading? Is not a by-law read once in council and properly signed and sealed just as legal as if read three times? Are there any statutes regulating the procedure?

G. A. A.

Section 232 of the Municipal Act provides that the jurisdiction of every council shall not only be confined to the municipality, but that their powers shall be exercised by by-law, except when otherwise authorized and provided for. It will be found that the greater portion of the powers given to councils must be exercised by the passage of by-laws, yet the statutes do not seem to have laid down any specific rule as to the mode of procedure in passing such by laws, except to say in section 288 that they "shall be under the seal of the corporation, and shall be signed by the head of the corporation, or by the person presiding at the meeting at which the by-law has been passed, and by the clerk of the corporation." However, section 283 authorizes the council to "make regulations not contrary to law for governing the proceedings of the council, the conduct of its members, the appointing and calling special meetings of the council, and generally such other regulations as the good of the inhabitants of the municipality requires." Where councils have not made regulations or rules referring to the method to be adopted in passing by-laws, it is usual to follow the Parliamentary practice of having all by-laws read a first, second and third time before being passed. This is a good rule, as it enables members