

# The Municipal World

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K. W. MCKAY, EDITOR,

A. W. CAMPBELL, C. E.	} Associate Editors
J. M. GLENN, Q. C., LL.B.	

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OFFICES—28 Elgin Street, St. Thomas. Telephone 101  
Address all communications to

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Box 1321, St. Thomas, Ont.

ST. THOMAS, DECEMBER 1, 1899.

The Index to "Questions and Answers," published during the past year, appears in this issue in a new form, which will facilitate reference to all questions relating to the different sections of the various municipal acts, according to the classification given in the Revised Statutes. We are also printing the index separately, and will be pleased to supply it to all subscribers who may desire to have their copies of THE MUNICIPAL WORLD bound.

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The County Council of York has invited the other County Councils of the province to send delegates to a meeting to be held in the old Court House, Toronto, on Tuesday and Wednesday, the 12th and 13th days of December next. The important question of "Better Roads" will be considered in all its phases, but more especially from the standpoint of the assumption of leading highways by the county.

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The question of County Roads is of great importance. We do not think sufficient time has been given to enable every county council to consider the matter and would suggest that a second meeting be held in February next, and that all county councils appoint delegates at their first meeting in January.

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C. C. Robinson, solicitor, Toronto, drew up a by-law in connection with the guaranteeing of Stouffville water works debentures by the County Council, and as there was no resolution passed by this council authorizing the work to be done they refused to pay the solicitor's bill of \$50.

He sued in Markham Division Court and the decision which was given by Judge Morgan is in favor of Mr. Robinson.—Tribune.

Only seven days elapse between the Statutory Council meeting on 15th and nomination day on 22nd of December. This is a brief period in which to prepare and post up the Financial Statement mentioned in sub section 6 of section 304 of the Municipal Act. The intention of the enactment was to have the information furnished by the financial statement published prior to nomination day, and the 24th of December is mentioned as the last day for such publication. The fact that nominations are held before the last Monday in December appears to have been overlooked.

It will facilitate matters if the statement is put in type before the meeting on the 15th. Any alterations suggested by the council can then be made, and the statement posted up before nomination day as usual.

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*If the number on your address label is 108 your subscription ends with this issue.*

We will be pleased to have renewal orders from all, and from those who are retiring from municipal life, a recommendation to their successors in office. We have to depend largely on the co-operation of those in office and to them our thanks are due for the good progress made during the year. The Supply Department has, during the past year, received an encouraging support. This is necessary, owing to the low subscription rate and increasing demands on the Question Drawer for special legal information, which, if obtained from other sources, would cost much more. THE WORLD'S Souvenir Catalogues will be distributed this month, and as usual will show that we are in a position to fill all orders for blank forms, books, stationery and office supplies, required by municipalities.

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Attention should be called to a very important amendment made to Sec. 58 of the Public Schools Act, by Sec. 8 of Chap. 36,—62 Vic. (Ont. Stats. 1899). The amending section adds an additional sub sec. to sec. 58—No. 6—as follows:

(6) In towns and incorporated villages the trustees may, by resolution, limit the number of trustees constituting the public school board to six, provided that at least one month's notice was given of the intention to consider the resolution to that effect. When such resolution has been adopted the election for school trustees shall thereafter be by vote of the electors of the whole municipality. Any reduction so approved shall not come into operation until the close of the school year. The board shall by lot determine what trustee or trustees shall retire in addition to the number retiring by annual rotation in order to admit of the election of three new trustees at the next annual meeting, and thereafter three trustees shall be elected by the ratepayers of the whole municipality each year to fill the place of the same number retiring by rotation annually.

## Voting on By-Laws Requiring the Assent of the Electors.

There are a number of instances in which by-laws, before the final passing thereof, are required by statute to receive the assent of the electors of the municipality, in accordance with the provisions of Section 338 and following sections of the Municipal Act. Section 355 provides that where a municipality is divided into wards each ratepayer shall be entitled to vote in each ward in which he has the qualification necessary to entitle him to vote on the by-law. The object of these by-laws is usually the raising of money by the issue of debentures of the municipality, or the exemption from taxation of some manufacturing institution for a period of years. The result in either case is an increase in the rate of taxation of the locality. In the one case by adding to the municipality's liabilities, and in the other, by withdrawing from taxation what would otherwise be revenue-producing property. Of this increased burden the ratepayer with one vote will be called on to pay five times as much as he with the five votes. The present state of the law renders it possible that a municipality would be saddled with an additional indebtedness by the votes of ratepayers having the smallest assessments, and whose portion of the liability thereby incurred would be much less than that of the ratepayers having the largest assessments and but one vote. This does not appear to be an equitable condition of things, and appeals to the Legislature for a remedy. He who has the larger assessment should have the most to say as to the passage or defeat of a by-law creating a debt; or better still, the principle of "one man, one vote," should govern. In this connection attention is drawn to question number 469 in this issue.

The arbitration regarding the boundary road between the townships of North Monaghan and Cavan, in the county of Peterborough, which opened at the Court House of the county some days ago and adjourned, has been called off, as a settlement has been arrived at satisfactory to both parties who have consented to the withdrawal of the arbitration. The County of Peterborough and the united Counties of Durham and Northumberland each made a grant of \$150, towards the boundary road, but Peterborough's grant was attended by a rider which said Cavan must also expend \$50 on the road. This rider has been withdrawn and this aided considerably in the settlement of the difficulty. The two counties will now expend \$300 on the boundary.

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By a vote of 129 for and 113 against, the separation of Allandale from the Town of Barrie, carried on the 1st November last. The ratepayers of Allandale have also voted on and carried a similar by-law.